

**1997**

# ***Illinois Register***

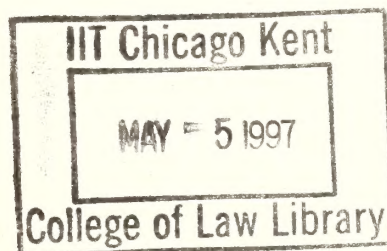
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## **Rules of Governmental Agencies**

Volume 21, Issue 18 — May 02, 1997

Pages 5392 - 5686

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**Editor's Note:** The Cumulative Index and Sections Affected Index will be printed on a quarterly basis. The printing schedule for the quarterly and annual indexes are as follows:

April 19, 1996 - Issue 16: Through	March 31, 1996
July 19, 1996 - Issue 29: Through	June 30, 1996
October 18, 1996 - Issue 42: Through	September 30, 1996
January 17, 1997 - Issue 3: Through	December 31, 1996 (Annual)



## INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. The Register also contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current Register volume year and a Sections Affected Index listing by Title each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume year. Both indices are action coded and are designed to aid the public in monitoring rules.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State statute; and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies; is also published in the Register.

The Register is a weekly update to the *Illinois Administrative Code* (a compilation of the rules adopted by State agencies). The most recent edition of the Code along with the Register comprise the most current accounting of State agencies' rules.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.].

## REGISTER PUBLICATION SCHEDULE 1997

Material Rec'd after Noon on:	And before Noon on:	Will be in Issue #:	Published on:	Material Rec'd after Noon on:	And before Noon on:	Will be in Issue #:	Published on:
Dec. 24, 1996	Dec. 31, 1996	1	Jan. 3, 1997	July 1, 1997	July 8, 1997	28	July 11, 1997
Dec. 31, 1996	Jan. 7, 1997	2	Jan. 10, 1997	July 8, 1997	July 15, 1997	29	July 18, 1997
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Jan. 21, 1997	Jan. 28, 1997	5	Jan. 31, 1997	July 29, 1997	Aug. 5, 1997	32	Aug. 8, 1997
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Apr. 22, 1997	Apr. 29, 1997	18	May 2, 1997	Oct. 28, 1997	Nov. 4, 1997	45	Nov. 7, 1997
Apr. 29, 1997	May 6, 1997	19	May 9, 1997	Nov. 4, 1997	Nov. 10, 1997*	46	Nov. 14, 1997
May 6, 1997	May 13, 1997	20	May 16, 1997	Nov. 10, 1997*	Nov. 18, 1997	47	Nov. 21, 1997
May 13, 1997	May 20, 1997	21	May 23, 1997	Nov. 18, 1997	Nov. 25, 1997	48	Dec. 1, 1997*
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June 17, 1997	June 24, 1997	26	June 27, 1997	Dec. 23, 1997	Dec. 30, 1997	1	Jan. 2, 1998
June 24, 1997	July 01, 1997	27	July 7, 1997*	Dec. 30, 1997	Jan. 6, 1998	2	Jan. 9, 1998

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

\* Monday



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT(S)

1) Heading of the Part: Sport Fishing Regulations for the Waters of Illinois

2) Code Citation: 17 Ill. Adm. Code 810

3) Section Numbers:  
810.45 Proposed Action:  
Amendment

4) Statutory Authority: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code (515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5)

5) Complete Description of the Subjects and Issues Involved: Section 810.45 is being amended to close the harvest of yellow perch by persons on charter boats because the supply of yellow perch has dramatically declined throughout the southern portion of Lake Michigan. All commercial fishing for perch is being closed, and in the interests of both species protection and fairness, perch fishing from charter boats also needs to be closed.

6) Will this rulemaking replace any emergency rulemaking currently in effect? Proposed amendments and emergency amendments to this Part containing duplicate language are being filed at this time.

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other proposed rulemakings pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rule may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price  
Department of Natural Resources  
524 S. Second Street  
Springfield, IL 62701-1787  
217/782-1809

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Lake Michigan charter boats whose captains

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT(S)

accept perch charters.

B) Reporting, bookkeeping or other procedures required for compliance:  
None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rule was summarized: This rule was not included on either of the 2 most recent agendas because: The Department neglected to file a regulatory agenda on this Part.

The full text of the Proposed Amendments begins on the next page:



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Wrongful Tree Cutting
- 2) Code Citation: 17 Ill. Adm. Code 1585
- 3) Section Numbers:  
1585.10 New Section  
1585.20 New Section  
1585.30 New Section  
1585.40 New Section
- 4) Statutory Authority: Implementing and authorized by the Wrongful Tree Cutting Act [740 ILCS 185].
- 5) A Complete Description of the Subjects and Issues Involved: This Part outlines a method of value determination for commercial trees cut without authorization; defines commercial timber and the measures and methods to determine unit value and clarifies what appraisals may be used.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect?  
No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rule may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price  
Department of Natural Resources  
524 S. Second Street  
Springfield, IL 62701-1787  
217/782-1809

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: Timber buyers and timber appraisers.
- B) Reporting, bookkeeping or other procedures required for compliance: Appraisers must provide a written appraisal for judicial use.

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED RULES

- C) Types of professional skills necessary for compliance: Knowledge of timber and timber prices.
- 13) Regulatory Agenda on which this rule was summarized: This rule was not included on either of the 2 most recent agendas because: The Department neglected to file a regulatory agenda on this Part.

The full text of the Proposed Rules begins on the next page:



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED RULES

TITLE 17: CONSERVATION  
 CHAPTER I: DEPARTMENT OF NATURAL RESOURCES  
 SUBCHAPTER d: FORESTRY

PART 1585  
 WRONGFUL TREE CUTTING

## Section

1585.10 Definitions  
 1585.20 Volume and Value Determination  
 1585.30 Appraisers  
 1585.40 Parties

AUTHORITY: Implementing and authorized by the Wrongful Tree Cutting Act [740 ILCS 185].

SOURCE: Adopted at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

NOTE: In this Part, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets.

## Section 1585.10 Definitions

"Commercial Timber" - means species of trees of a size which will be purchased by an available primary forest products market, such as for sawlogs, pulpwood, veneer, cooperage or product, which at the minimum will produce one stick of wood with a 4 inch diameter inside the bark at the small end and 8 feet long or greater.

"Department" - means the Illinois Department of Natural Resources.

"Diameter at Breast Height" (DBH) - means the stem diameter, outside bark, at a point 4.5 feet above ground.

"Doyle Log Rule" - is:

$$(D-4)(2) \\ (\quad) L = BF$$

4

where: D is diameter of the small end of a log in inches

L is the log length in feet

BF is Board Feet.

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED RULES

## Section 1585.20 Volume and Value Determination

- a) Volume. The Doyle Log Rule will be used to determine board foot volume.
- b) Value.

- 1) No value will be assigned to any tree that will not meet the definition of commercial timber. This Act does not apply to replacement, aesthetic, shade-tree or landscaping value.
- 2) The unit value will be based on the appraiser's knowledge of commercial timber market values based on comparable sales or sawmill purchases of commercial timber. The estimated value will be the dollar amount of the commercial timber had it been offered for sale on the open market. The "Illinois Timber Price" report issued by the Illinois Department of Agriculture and the Illinois Department of Natural Resources can be used to determine commercial timber value.

## Section 1585.30 Appraisers

- a) Within 15 days after receiving a court order requiring the appointment of these appraisers, the Department shall initiate the contact of enough potential appraisers to obtain 3 who agree to appraise the ordered site. Appraisers shall be either:

- 1) Timber buyers currently licensed in Illinois; or
  - 2) Individuals possessing at least a bachelor's degree with a major in Forestry and who have expressed a willingness to be a timber appraiser and have a knowledge of Illinois' local commercial timber values.
- b) Disqualification. Appraisers must not have contracted nor conducted business with either the plaintiff or defendant in the case within the previous 5 years.
- c) Report. Within 10 working days after examining the site, each appraiser shall submit a report to the Department. The report must contain, at a minimum, the appraiser's name and address and the total value determination. This report must be accompanied by the appraiser's expenses as a separate document listing the court case as the billing party.
- d) Payment. Appraisers shall be paid by the parties pursuant to Sections 3 and 4 of the Act.

## Section 1585.40 Parties

The parties and their legal representatives will be advised of the time and date of the appraisal, and may be present if they so desire. The parties are responsible for plainly delineating boundary lines prior to any appraisal.



## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Professional Geologist Licensing Act

- 2) Code Citation: 68 Ill. Adm. Code 1252

- 3) Section Numbers: Proposed Action:

1252.10	New Section
1252.20	New Section
1252.30	New Section
1252.40	New Section
1252.50	New Section
1252.60	New Section
1252.70	New Section
1252.80	New Section
1252.90	New Section
1252.100	New Section
1252.110	New Section
1252.120	New Section
1252.130	New Section

- 4) Statutory Authority: Implementing the Professional Geologist Licensing Act [225 ILCS 745] and authorized by Section 60(7) of the Civil Administration Code of Illinois [20 ILCS 2105/60(7)].

- 5) A Complete Description of the Subjects and Issues Involved:

Public Act 89-366, effective July 1, 1996, provides for the licensure of professional geologists by the Department of Professional Regulation. When adopted, these rules will allow the Department to begin processing licensure applications.

These proposed rules detail how applicants qualified by education and experience can obtain licenses as professional geologists under grandfather provisions of Section 52 of the Act. Sections 1252.10, 1252.40, 1252.50 and 1252.80 have been published as an emergency rule so that grandfather applicants have ample time to apply.

The proposed rules specify criteria for an approved professional geology educational program and experience and examination requirements necessary for licensure.

The proposed rules tell how persons licensed or registered as professional geologists in other jurisdictions can obtain licensure by endorsement in Illinois. They also describe how to renew or restore a license, how to place a license on inactive status and under what circumstances the Director of the Department may grant variances to these rules. Standards of Unprofessional Conduct have been set forth in these rules.

- 6) Do these proposed Rules replace an emergency Rule currently in effect? No

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF PROPOSED RULES

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Do these proposed Rules contain incorporations by reference? No

- 9) Are there any other proposed Rules pending on this Part? No

- 10) Statement of Statewide Policy Objectives (if applicable): This rulemaking has no effect on local governments.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

Department of Professional Regulation  
Attention: Jean A. Courtney  
320 West Washington, 3rd Floor  
Springfield, IL 62786  
217/785-0813 Fax #: 217/782-7645

All written comments received within 45 days after this issue of the Illinois Register will be considered.

- 12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: Those providing professional geological services.

- B) Reporting, bookkeeping or other procedures required for compliance: Every professional geologist license issued under the Act shall expire on March 31 of odd numbered years. The first license renewal period will be March 31, 1999. Licensees are responsible for notifying the Department of any change of address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to renew a license.

- C) Types of professional skills necessary for compliance: Professional geologist education and experience are necessary for licensure.

- 13) Regulatory Agenda on which this rulemaking was summarized: January 1997

The full text of the Proposed Rules begins on the next page:



## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF PROPOSED RULES

TITLE 68: PROFESSIONS AND OCCUPATIONS  
 CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION  
 SUBCHAPTER B: PROFESSIONS AND OCCUPATIONS

## PART 1252

## PROFESSIONAL GEOLOGIST LICENSING ACT

Section	Application for Licensure Without Examination (Grandfather)
1252.10	Application for Examination/Licensure
1252.20	Examination
1252.30	Approved Programs of Geology
1252.40	Experience
1252.50	Endorsement
1252.60	Renewal
1252.70	Fees
1252.80	Inactive Status
1252.90	Restoration
1252.100	Code of Professional Conduct and Ethics
1252.110	Granting Variances
1252.120	

**AUTHORITY:** Implementing the Professional Geologist Licensing Act [225 ILCS 745] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

**SOURCE:** Emergency rule creating Section 1252.10, 1252.40, 1252.50 and 1252.80 adopted at 21 Ill. Reg. \_\_\_\_\_, effective April 22, 1997, for a maximum of 150 days; adopted at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 1252.10 Application for Licensure Without Examination (Grandfather)**

a) Until April 22, 1998, an applicant meeting all the requirements for a license under Section 50(a) of the Act and this Part may be issued a license under the grandfather provisions of Section 52 of the Act without taking and passing the examination. An applicant shall file an application on forms provided by the Department of Professional Regulation (the Department). The application shall include the following:

- 1) Education/Experience
  - A) Education
    - i) Official transcripts of a baccalaureate degree in geology, or graduate degree in the field of geology, indicating that the applicant has completed the coursework in accordance with Section 1252.40 of this Part; and
    - ii) Verification of a minimum of 4 years of professional

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF PROPOSED RULES

experience as defined in Section 1252.50 of this Part. The experience must be obtained after completion of the education requirements specified in Section 50(a)(3) of the Act and Section 1252.40 of this Part;

or

## B) Experience

- 1) The Department may, upon recommendation of the Board of Licensing for Professional Geologists (Board), allow substitution of professional experience as a geologist for the educational requirements prescribed in subsection (a)(1)(A) of this Section. Appropriate experience shall include, but not be limited to, a minimum of 10 years professional experience (6 years additional to that stated in subsection (a)(1)(A)(ii) of this Section) may be substituted for 10 semester or 15 quarter hours of geology coursework. At least 2 of the 10 years shall have been under the supervision of a licensed professional geologist, or, before July 1, 2000, a licensed professional geologist or engineer;

- 2) A complete work history since receipt of a bachelor's degree or the most recent 15 years of geology experience since receipt of the bachelor's degree, whichever is less;

- 3) The required fee set forth in Section 1252.80 of this Part; and
- 4) Certification, on forms provided by the Department, from the state or territory of the United States in which the applicant was originally licensed and the state in which he/she predominantly practices and is currently licensed, if applicable, stating:

- A) The time during which the applicant was registered in that jurisdiction, including the date of the original issuance of the license; and
- B) Whether the file on the applicant contains any record of disciplinary actions taken or pending.

- b) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking licensure may be requested to:
  - 1) Provide such information as may be necessary; and/or
  - 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.

**Section 1252.20 Application for Examination/Licensure**

- a) An applicant for examination to obtain licensure as a professional geologist shall file an application, on forms provided by the Department, at least 90 days prior to the examination date. The application shall include the following:
  - 1) Education/Experience

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF PROPOSED RULES

## A) Education

- i) Official transcripts of a baccalaureate degree in geology, or graduate degree in the field of geology, showing that the applicant has completed the coursework in accordance with Section 1252.40 of this Part; and
- ii) A minimum of 4 years of professional experience as defined in Section 1252.50 of this Part. The experience must be obtained after completion of the education requirements specified in Section 50(a)(3) of the Act; or

## B) Experience

The Department may, upon recommendation of the Board, allow substitution of professional experience as a geologist for the educational requirements prescribed in subsection (a)(1)(A) of this Section. Appropriate experience shall include, but not be limited to, a minimum of 10 years professional experience (6 years additional to that stated in subsection (a)(1)(A)(ii) of this Section) may be substituted for 10 semester or 15 quarter hours of geology coursework. At least 2 of the 10 years shall have been under the supervision of a licensed professional geologist, or, before July 1, 2000, a licensed professional geologist or engineer;

- 2) A complete work history since receipt of a bachelor's degree or the most recent 15 years of geology experience since receipt of the bachelor's degree, whichever is less;
- 3) The required fee set forth in Section 1252.80 of this Part; and

- 4) Certification, on forms provided by the Department, from the state or territory of the United States in which the applicant was originally licensed and the state in which he/she predominantly practices and is currently licensed, if applicable, stating:

- A) The time during which the applicant was registered in that jurisdiction, including the date of the original issuance of the license; and

- B) Whether the file on the applicant contains any record of disciplinary actions taken or pending.

- b) All experience shall be completed prior to applying for licensure.

- c) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of lack of information, discrepancies or conflicts in information given, or a need for clarification, the applicant seeking licensure may be requested to:
  - 1) Provide such information as may be necessary; and/or
  - 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.

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## Section 1252.30 Examination

The examination for licensure as a professional geologist shall be an examination authorized by the Department which tests an applicant's qualifications to practice professional geology in Illinois.

## Section 1252.40 Approved Programs of Geology

- a) The Department shall, upon the recommendation of the Board, approve a geology program if it meets the criteria set forth in this Section and the institution:
  - 1) Is legally recognized and authorized by the jurisdiction in which it is located to confer the appropriate degree;
  - 2) Has a faculty that consists of a sufficient number of full-time instructors to ensure educational obligations to the student are fulfilled.

A) The faculty must have demonstrated competence as evidenced by appropriate degrees in their area(s) of teaching from professional colleges or institutions.

B) A program at the basic level shall have no fewer than three full-time faculty members whose primary commitment is to the geology program. If an institution relies on part-time faculty members, it shall demonstrate that, in addition to the commitment of at least three full-time equivalent faculty members, effective mechanisms are in place to provide adequate levels of student advising and faculty interaction, and faculty control over the curriculum;

- 3) Has a geology program director;

- 4) Has a curriculum with a minimum of 30 semester hours or 45 quarter hours, or the equivalent, of course credits in geology, of which 24 semester or 36 quarter hours are in upper level courses.

A) The geology curriculum shall be designed to teach fundamentals and principles and practices of geology, and shall be designed to train the student to engage in the practice of geology.

- B) Geological courses. For the purposes of fulfilling the requirements of Section 50(a)(3) of the Act, the 24 semester or 36 quarter hours in the upper level courses shall be from the following subject areas:

Structural Geology	Geophysics
Mineralogy	Hydrogeology
Petrology	Engineering Geology
Geomorphology	Economic Geology
Paleontology	Environmental Geology
Terrain Analysis/Remote Sensing	Glacial Geology
	Field Geology



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Stratigraphy  
Sedimentology

- b) In determining whether a school is legally recognized and authorized by the jurisdiction in which it is located to confer the appropriate degree, the Department shall take into consideration, but not be bound by, accreditation or approval by the Middle States Association of Colleges and Schools; the New England Association of Schools and Colleges; the North Central Association of Colleges and Schools; the Northwest Association of Schools and Colleges; Southern Association of Colleges and Schools; the Western Association of Schools and Colleges; and the Department of Education in each of the Canadian Provinces.

**Section 1252.50 Experience**

- a) A minimum of 4 years of professional experience in the practice of geology or directly related work as defined in Section 15 of the Act is required for licensure under Section 50 of the Act.
- b) Beginning with persons making application for licensure on or after July 1, 2000, 2 years of professional experience must have been gained under the supervision of an Illinois licensed professional geologist or a geologist licensed in another jurisdiction having substantially equivalent licensure requirements as Illinois.
- c) All experience shall have been acquired after completion of education requirements set forth in Section 50(3) of the Act and Section 1252.40 of this Part. A minimum of 4 years of professional experience is defined as at least 1,800 hours a year for 4 years. No more than one year of credit will be given in a 12-month period.
- d) A maximum of one year experience may be credited to applicants possessing a graduate degree in geology.
- e) A maximum of one year experience may be credited to full-time faculty members who teach upper level courses in a geology program that meets the criteria in Section 1252.40.

**Section 1252.60 Endorsement**

- a) An applicant who is licensed/registered under the laws of another jurisdiction and who wishes to be licensed in Illinois as a professional geologist shall file an application with the Department, on forms provided by the Department, which includes:
- 1) Proof of Education and Experience
    - A) Official transcripts verifying conferral of a bachelor's degree from an accredited college or university approved by the Department in accordance with Section 1252.40 of this Part; and
    - B) Certification of a minimum of 4 years of professional experience or its equivalent as approved by the Department

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in accordance with Section 1252.50;

- 2) Certification of successful completion of the examination authorized by the Department in accordance with Section 1252.30 or its equivalent;
- 3) A complete work history since receipt of a bachelor's degree or the most recent 15 years of geology experience since receipt of the bachelor's degree, whichever is less;
- 4) The required fee set forth in Section 1252.80 of this Part; and
- 5) Certification, on forms provided by the Department, from the jurisdiction in which the applicant was originally licensed and the state in which the applicant predominantly practices and is currently registered/licensed, if applicable, stating:
  - A) The time during which the applicant was licensed in that jurisdiction, including the date of the original issuance of the license;
  - B) A description of the examination in that jurisdiction; and
  - C) Whether the file on the applicant contains any record of disciplinary actions taken or pending.
- b) A copy of the current Act and administrative rules from the jurisdiction where the applicant holds active licensure/registration may be requested by the Department or the Board to determine substantial equivalency.
- c) When the accuracy of any submitted documentation, or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of a lack of information, discrepancies or conflicts in information given, or a need for clarification, the applicant seeking licensure by endorsement shall be requested to:
  - 1) Provide such information as may be necessary; and/or
  - 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information, or clear up any discrepancies or conflicts in information.

**Section 1252.70 Renewal**

- a) The first renewal period for licenses issued under the Act shall end March 31, 1999. Thereafter, every license issued under the Act shall expire on March 31 of odd-numbered years. The holder of a license may renew such license during the month preceding the expiration date by paying the fee required by Section 1252.80 of this Part.
- b) It is the responsibility of each licensee to notify the Department of any change of address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to pay the renewal fee or to renew one's license.
- c) Practicing or offering to practice on a license that has expired shall be considered unlicensed activity and shall be grounds for discipline pursuant to Section 80 of the Act.

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## Section 1252.80 Fees

The following fees shall be paid to the Department and are not refundable:

- a) Application Fees
  - 1) The fee for application for a license is \$250.
  - 2) In addition applicants for examination shall be required to pay, either to the Department or to the designated testing service, a fee covering the cost of determining an applicant's eligibility and providing the examination. Failure to appear for the examination on the scheduled date, at the time and place specified, after the applicant's application for examination has been received and acknowledged by the Department or the designated testing service, shall result in the forfeiture of the examination fee.
- b) Renewal Fees
 

The fee for renewal of a license shall be calculated at the biennial rate of \$150.
- c) General Fees
  - 1) The fee for restoration of a license other than from inactive status is \$20 plus payment of all lapsed renewal fees, but not to exceed \$300.
  - 2) The fee for the issuance of a duplicate or replacement license, for a license which has been lost or destroyed or for the issuance of a license with a change of name or address, other than during the renewal period is \$20. No fee is required for name and address changes on Department records when no corrected license is issued.
  - 3) The fee for certification of a licensee's record for any purpose is \$20.
  - 4) The fee for a wall certificate showing licensure is the actual cost of producing such a certificate.
  - 5) The fee for a roster of persons licensed as professional geologists is the actual cost of producing such a roster.
  - 6) The fee to have the scoring of an examination administered by the Department reviewed and verified is \$20.

## Section 1252.90 Inactive Status

- a) Licensed geologists who notify the Department, on forms provided by the Department, may place their licenses on inactive status and shall be excused from paying renewal fees until they notify the Department in writing of the intention to resume active practice.
- b) Any licensed geologist seeking restoration from inactive status shall do so in accordance with Section 1252.100 of this Part.
- c) Any geologist whose license is on inactive status shall not practice in the State of Illinois. Any person violating this subsection shall be considered to be practicing without a license and shall be subject to the disciplinary provisions of the Act.

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## Section 1252.100 Restoration

- a) Any professional geologist whose license has expired or been placed on inactive status for 5 years or less may have the license restored by paying the fees required by Section 1252.80 of this Part.
- b) Any person seeking restoration of a license that has been expired or placed on inactive status for more than 5 years shall file an application, on forms provided by the Department, for review by the Board, together with the fee required by Section 1252.80. The applicant shall also submit either:
  - 1) Sworn evidence of active practice in another jurisdiction. Such evidence shall include a statement from an appropriate board or licensing authority in the other jurisdiction that the licensee/registrant was authorized to practice during the term of active practice; or
  - 2) An affidavit attesting to military service as provided in Section 65 of the Act; or
  - 3) Proof of passage of the Professional Geologist Examination during the period the license was lapsed; or
  - 4) Other evidence of continued competence in geology. Other evidence shall include, but not be limited to:
    - A) Employment in a responsible capacity by a licensed professional geologist as determined by the Board;
    - B) Lawfully practicing geology as an employee of a governmental agency;
    - C) Teaching geology in a college or university; or
    - D) Attendance at educational programs in geology.
- c) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of a lack of information, discrepancies or conflicts in information given, or a need for clarification, the registrant seeking restoration shall be requested to:
  - 1) Provide such information as may be necessary; and/or
  - 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.
- d) Upon the recommendation of the Board and approval of the Director, an applicant shall have the registration restored or be notified in writing of the reason for denying the application.

## Section 1252.110 Code of Professional Conduct and Ethics

- a) Geology is a profession the practice of which requires scientific knowledge, professional experience and judgement and personal responsibility. Each licensed professional geologist shall be guided by the highest standards of business ethics, honesty, integrity, personal honor and professional conduct in order to safeguard life,



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health and property, and to promote the public welfare. The Code of Professional Conduct and Ethics shall be binding upon every person holding licensure as a professional geologist in the State of Illinois. Each licensed professional geologist shall:

- 1) Protect to the fullest extent the public welfare and safety;
- 2) Not act in any manner that will tend to bring discredit to the honor and dignity of his/her profession;
- 3) Not undertake any type of work with which he/she is not competent unless he/she makes full disclosure of his/her lack of training and/or experience to the appropriate parties prior to undertaking the work;
- 4) Not act for his/her client or employer other than as a faithful agent or trustee and shall protect to the fullest the interest of his/her employer and/or client so far as is consistent with the law and his/her professional obligations and ethics;
- 5) Not use undue influence or offer commissions or otherwise solicit professional work improperly;
- 6) Not voluntarily disclose information concerning the lawful business affairs or technical processes of a client or employer without his/her consent, provided that this subsection (a)(6) does not operate to the detriment of public safety;
- 7) Not express an opinion that is not founded upon knowledge and honest conviction nor yield to undue and improper pressure;
- 8) Avoid misrepresentations of his/her professional credentials and avoid false or misleading claims of his/her capabilities;
- 9) Freely give credit for work done by others to whom credit is due and will refrain from plagiarism in oral and written communications, and not knowingly accept credit rightfully due another geologist; and
- 10) Not review the public geologic work of another geologist for the same client, except with the knowledge of the other geologist, or unless the connection of the other geologist with the work has been terminated.

- b) It shall be the duty and professional responsibility of every licensed geologist to uphold these standards or ethics and to encourage other geologists by example and counsel to adhere to this Code. A licensed geologist found by the Board to be in violation of this Code of Professional Conduct may be subject to discipline.

## Section 1252.120 Granting Variances

- a) The Director of the Department may grant variances from these rules in individual cases when he/she finds that:
  - 1) The provision from which the variance is granted is not statutorily mandated;
  - 2) No party will be injured by the granting of the variance; and
  - 3) The rule from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.

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- b) The Director shall notify the Board of the granting of such variance, and the reasons therefor, at the next meeting of the Board.

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1) Heading of the Part: Food Stamps2) Code Citation: 89 Ill. Adm. Code 1213) Section Numbers: Proposed Action:

121.160	Amendment
121.162	Amendment
121.164	Amendment
121.166	Amendment
121.170	Amendment
121.172	Amendment
121.174	Amendment
121.176	Amendment
121.178	Amendment
121.180	Repeal
121.184	Amendment
121.188	Amendment
121.220	New Section
121.221	New Section
121.222	New Section
121.223	New Section
121.224	New Section

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13] and Public Law 104-193.5) Complete Description of the Subjects and Issues Involved: The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) contains a work requirement for food stamps. On February 28, 1997 at 21 Ill. Reg. 2820, the Department proposed amendments to implement the work requirement for food stamps. The Department is now proposing additional amendments to further implement and comply with this federal legislation.

As a result of this rulemaking, all individuals receiving food stamps who reside in areas exempt from the work requirement may be required to participate in the Food Stamp Employment and Training program. This rulemaking provides for meeting the work requirement with the Earnfare, Work Experience and Volunteer Community Work components. This will enable participants, residing in nonexempt areas of the State, to meet the work requirement via "workfare" type components such as Earnfare, Workfare and Volunteer Community service. Participants will be able to work off the value of their food stamps up to a maximum of 20 hours each month. Participants will also be able to take part in the other Food Stamp Employment and Training components, including Job Search, Basic Education, Job Readiness and Job Training. To the extent resources are available, the priority order for individuals receiving food stamps who reside in areas exempt from the work requirement who may be required to participate

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## in the Food Stamp Employment and Training program include:

1. adults who receive food stamps and who volunteer or are court-ordered. If resources are available, these individuals may be required to participate in other Food Stamp Employment and Training activities;
2. exempt and nonexempt individuals ordered by a court of competent jurisdiction to participate in Earnfare. Receipt of food stamps is not an eligibility requirement for individuals ordered by a court of competent jurisdiction who are non-custodial parents of AFDC children;
3. all other nonexempt food stamp recipients not receiving AFDC or Refugee Assistance;
4. recipients of Transitional Assistance;
5. nonexempt clients receiving Family and Children Assistance may be required to participate in the Food Stamp Employment and Training program. See 89 Ill. Adm. Code 112.70 through 112.76 for requirements for these clients; and
6. individuals who are homeless.

Although individuals may volunteer to participate, these proposed amendments also establish that individuals exempt from the Food Stamp Employment and Training program will be individuals who are:

1. under age 18 or over age 50;
2. medically certified as physically or mentally unfit for employment;
3. pregnant;
4. a student enrolled at least half time;
5. a member of a household responsible for a dependent child;
6. responsible for the care of an incapacitated person;
7. participating in a drug addiction or alcoholic treatment and rehabilitation program;
8. receiving weekly earnings of at least the federal minimum wage times 30 hours; or
9. receiving Unemployment Insurance.

As a result of this rulemaking, participants will be eligible to receive supportive service payments, in advance, to enable them to participate in Earnfare and Work Experience. This rulemaking establishes items eligible for supportive service payments.

Eligible supportive services needed by an individual in Earnfare and Work Experience include at least:

1. transportation;
2. initial employment expenses; and
3. clothing allowance.



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However, initial employment expenses will be the only supportive service payments authorized for participants in the Volunteer Community Work component. In addition, supportive service costs will not include the cost of meals away from home.

- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

Sections	Proposed Action	Illinois Register Citation
121.18	Amendment	February 28, 1997 (21 Ill. Reg. 2820)
121.93	Amendment	August 30, 1996 (20 Ill. Reg. 11581)
121.94	Amendment	August 30, 1996 (20 Ill. Reg. 11581)
121.98	New Section	August 30, 1996 (20 Ill. Reg. 11581)

- 10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

- 11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Judy Umunna  
Bureau of Rules and Regulations  
Illinois Department of Public Aid  
100 South Grand Ave. E., 3rd Floor  
Springfield, IL 62762  
217/524-0081

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

These proposed amendments may have an impact on small businesses, small municipalities, and not for profit corporations as defined in Sections 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act [5 ILCS 100/1-75, 1-80, 1-85]. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative

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Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their status as small businesses, small municipalities, or not for profit corporations as part of any written comments they submit to the Department.

- 12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: The Department is unaware of any effect this rulemaking may have on small businesses, small municipalities or not-for-profit corporations. The Department will accept and consider any written comments concerning such effects that may be submitted in response to these proposed amendments.

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

- 13) Regulatory agenda on which this rulemaking was summarized: January 1997

The full text of the Proposed Amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 121  
FOOD STAMPS

## SUBPART A: APPLICATION PROCEDURES

Section	
121.1	Application for Assistance
121.2	Time Limitations on the Disposition of an Application
121.3	Approval of an Application and Initial Authorization of Assistance
121.4	Denial of an Application
121.5	Client Cooperation
121.6	Emergency Assistance
121.7	Expedited Services
121.10	Interviews

## SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section	
121.19	Ending a Voluntary Quit Disqualification
121.20	Citizenship
121.21	Residence
121.22	Social Security Numbers
121.23	Work Registration/Participation Requirements
121.24	Individuals Exempt From Work Registration Requirements
121.25	Failure to Comply
121.26	Period of Sanction
121.27	Voluntary Job Quit
121.28	Good Cause for Voluntary Job Quit
121.29	Exemptions from Voluntary Quit Rule

## SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section	
121.30	Unearned Income
121.31	Exempt Unearned Income
121.32	Education Benefits
121.33	Unearned Income In-Kind
121.34	Lump Sum Payments and Income Tax Refunds
121.40	Earned Income
121.41	Budgeting Earned Income
121.50	Exempt Earned Income
121.51	Income from Work/Study/Training Programs
121.52	Earned Income from Roomer and Boarder

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121.53	Income From Rental Property
121.54	Earned Income In-Kind
121.55	Sponsors of Aliens
121.57	Assets
121.58	Exempt Assets
121.59	Asset Disregards

## SUBPART D: ELIGIBILITY STANDARDS

Section	
121.60	Net Monthly Income Eligibility Standards
121.61	Gross Monthly Income Eligibility Standards
121.62	Income Which Must Be Annualized
121.63	Deductions From Monthly Income
121.64	Food Stamp Benefit Amount

## SUBPART E: HOUSEHOLD CONCEPT

Section	
121.70	Composition of the Assistance Unit
121.71	Living Arrangement
121.72	Nonhousehold Members
121.73	Ineligible Household Members
121.74	Strikers
121.75	Students
121.76	Households Receiving AFDC, SSI, Interim Assistance and/or Categorical Eligibility

## SUBPART F: MISCELLANEOUS PROGRAM PROVISIONS

Section	
121.80	Fraud Disqualification (Renumbered)
121.81	Initiation of Administrative Fraud Hearing (Repealed)
121.82	Definition of Fraud (Renumbered)
121.83	Notification To Applicant Households (Renumbered)
121.84	Disqualification Upon Finding of Fraud (Renumbered)
121.85	Court Imposed Disqualification (Renumbered)
121.90	Monthly Reporting and Retrospective Budgeting
121.91	Monthly Reporting
121.92	Retrospective Retrospective Budgeting
121.93	Direct Mail Issuance of Food Stamp Coupons
121.94	Replacement of Food Stamp Coupons
121.95	Restoration of Lost Benefits
121.96	Uses For Food Coupons
121.97	Supplemental Payments
121.98	Food Stamp Simplified Application Demonstration Project (Repealed)
121.120	Recertification of Eligibility
121.130	Residents of Shelters for Battered Women and their Children



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121.131 Fleeing Felons and Probation/Parole Violators  
121.135 Incorporation By Reference  
121.140 Small Group Living Arrangement Facilities and Drug/Alcoholic Treatment Centers

## SUBPART G: INTENTIONAL VIOLATIONS OF THE PROGRAM

Section  
121.150 Definition of Intentional Violations of the Program  
121.151 Penalties for Intentional Violations of the Program  
121.152 Notification To Applicant Households  
121.153 Disqualification Upon Finding of Intentional Violation of the Program  
121.154 Court Imposed Disqualification

## SUBPART H: FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM

Section  
121.160 Persons Required to Participate  
121.162 Participation and Cooperation Requirements  
121.164 Orientation  
121.166 Assessment and Employability Plan  
121.170 Job Search Component  
121.172 Basic Education Component  
121.174 Job Readiness Component  
121.176 Work Experience Component  
121.178 Job Training Component  
121.180 Grant Diversion Component (Repealed)  
121.182 Earnfare Component  
121.184 Sanctions  
121.186 Good Cause for Failure to Cooperate  
121.188 Supportive Services  
121.190 Conciliation and Fair Hearings  
121.200 Types of Claims (Recodified)  
121.201 Establishing a Claim for Intentional Violation of the Program (Recodified)  
121.202 Establishing a Claim for Unintentional Household Errors and Administrative Errors (Recodified)  
121.203 Collecting Claim Against Households (Recodified)  
121.204 Failure to Respond to Initial Demand Letter (Recodified)  
121.205 Methods of Repayment of Food Stamp Claims (Recodified)  
121.206 Determination of Monthly Allotment Reductions (Recodified)  
121.207 Failure to Make Payment in Accordance with Repayment Schedule (Recodified)  
121.208 Suspension and Termination of Claims (Recodified)

## SUBPART I: WORK REQUIREMENT FOR FOOD STAMPS

Section

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121.220 Workfare Components  
121.221 Meeting the Work Requirement with the Earnfare Component  
121.222 Volunteer Community Work Component  
121.223 Work Experience Component  
121.224 Supportive Service Payments to Meet the Work Requirement

AUTHORITY: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13].

SOURCE: Adopted December 30, 1977; amended at 3 Ill. Reg. 5, p. 875, effective February 2, 1979; amended at 3 Ill. Reg. 31, p. 109, effective August 3, 1979; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 41, p. 165, effective October 11, 1979; amended at 3 Ill. Reg. 42, p. 230, effective October 9, 1979; amended at 3 Ill. Reg. 44, p. 173, effective October 19, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 3, p. 49, effective January 9, 1980; peremptory amendment at 4 Ill. Reg. 10, p. 253, effective February 23, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; peremptory amendment at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 17, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1131, effective January 16, 1981; amended at 5 Ill. Reg. 4586, effective April 15, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 12736, effective October 29, 1981; amended at 6 Ill. Reg. 1653, effective January 17, 1982; amended at 6 Ill. Reg. 2707, effective March 2, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10208, effective August 9, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 5715, effective May 1, 1983; amended at 7 Ill. Reg. 8118, effective June 24, 1983; peremptory amendment at 7 Ill. Reg. 12899, effective October 1, 1983; amended at 7 Ill. Reg. 13655, effective October 4, 1983; peremptory amendment at 7 Ill. Reg. 16067, effective November 18, 1983; amended at 7 Ill. Reg. 16169, effective November 22, 1983; amended at 8 Ill. Reg. 5673, effective April 18, 1984; amended at 8 Ill. Reg. 7249, effective May 16, 1984; peremptory amendment at 8 Ill. Reg. 10086, effective July 1, 1984; amended at 8 Ill. Reg. 13284, effective July 16, 1984; amended at 8 Ill. Reg. 17900, effective September 14, 1984; amended (by adding Section being codified with no substantive change) at 8 Ill. Reg. 17898; peremptory amendment at 8 Ill. Reg. 19690, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 22145, effective November 1, 1984; amended at 9 Ill. Reg. 302,

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effective January 1, 1985; amended at 9 Ill. Reg. 6804, effective May 1, 1985; amended at 9 Ill. Reg. 8665, effective May 29, 1985; peremptory amendment at 9 Ill. Reg. 8898, effective July 1, 1985; amended at 9 Ill. Reg. 11334, effective July 8, 1985; amended at 9 Ill. Reg. 14334, effective September 6, 1985; peremptory amendment at 9 Ill. Reg. 15582, effective October 1, 1985; amended at 9 Ill. Reg. 16889, effective October 16, 1985; amended at 9 Ill. Reg. 19726, effective December 9, 1985; amended at 10 Ill. Reg. 229, effective December 20, 1985; peremptory amendment at 10 Ill. Reg. 7387, effective April 21, 1986; peremptory amendment at 10 Ill. Reg. 7941, effective May 1, 1986; amended at 10 Ill. Reg. 14692, effective August 29, 1986; peremptory amendment at 10 Ill. Reg. 15714, effective October 1, 1986; Sections 121.200 thru 121.208 recodified to 89 Ill. Adm. Code 165 at 10 Ill. Reg. 21094; peremptory amendment at 11 Ill. Reg. 3761, effective February 11, 1987; emergency amendment at 11 Ill. Reg. 3754, effective February 13, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 9968, effective May 15, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 10269, effective May 22, 1987; amended at 11 Ill. Reg. 10621, effective May 25, 1987; peremptory amendment at 11 Ill. Reg. 11391, effective July 1, 1987; peremptory amendment at 11 Ill. Reg. 11855, effective June 30, 1987; emergency amendment at 11 Ill. Reg. 12043, effective July 6, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13635, effective August 1, 1987; amended at 11 Ill. Reg. 14022, effective August 10, 1987; emergency amendment at 11 Ill. Reg. 15261, effective September 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 15480, effective September 4, 1987; amended at 11 Ill. Reg. 15634, effective September 11, 1987; amended at 11 Ill. Reg. 18218, effective October 30, 1987; peremptory amendment at 11 Ill. Reg. 18374, effective October 30, 1987; amended at 12 Ill. Reg. 877, effective December 30, 1987; emergency amendment at 12 Ill. Reg. 1941, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 4204, effective February 5, 1988; amended at 12 Ill. Reg. 9678, effective May 23, 1988; amended at 12 Ill. Reg. 9922, effective June 1, 1988; amended at 12 Ill. Reg. 11463, effective June 30, 1988; amended at 12 Ill. Reg. 12824, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 14045, effective August 19, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 15704, effective October 1, 1988; peremptory amendment at 12 Ill. Reg. 16271, effective October 1, 1988; amended at 12 Ill. Reg. 20161, effective November 30, 1988; amended at 13 Ill. Reg. 3890, effective March 10, 1989; amended at 13 Ill. Reg. 13619, effective August 14, 1989; peremptory amendment at 13 Ill. Reg. 15859, effective October 1, 1989; amended at 14 Ill. Reg. 729, effective January 1, 1990; amended at 14 Ill. Reg. 6349, effective April 13, 1990; amended at 14 Ill. Reg. 13202, effective August 6, 1990; peremptory amendment at 14 Ill. Reg. 15158, effective October 1, 1990; amended at 14 Ill. Reg. 16983, effective September 30, 1990; amended at 15 Ill. Reg. 11150, effective July 22, 1991; amended at 15 Ill. Reg. 11957, effective August 12, 1991; peremptory amendment at 15 Ill. Reg. 14134, effective October 1, 1991; emergency amendment at 16 Ill. Reg. 757, effective January 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 10011, effective June 15, 1992; amended at 16 Ill. Reg. 13900, effective August 31, 1992; emergency amendment at 16 Ill. Reg. 16221, effective October 1, 1992, for a maximum of 150 days; peremptory amendment at 16 Ill.

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Reg. 16345, effective October 1, 1992; amended at 16 Ill. Reg. 16624, effective October 23, 1992; amended at 17 Ill. Reg. 644, effective December 31, 1992; amended at 17 Ill. Reg. 4333, effective March 19, 1993; amended at 17 Ill. Reg. 14625, effective August 26, 1993; emergency amendment at 17 Ill. Reg. 15149, effective September 7, 1993, for a maximum of 150 days; peremptory amendment at 17 Ill. Reg. 17477, effective October 1, 1993; expedited correction at 17 Ill. Reg. 21216, effective October 1, 1993; amended at 18 Ill. Reg. 2033, effective January 21, 1994; emergency amendment at 18 Ill. Reg. 2509, effective January 27, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 3427, effective February 28, 1994; amended at 18 Ill. Reg. 8921, effective June 3, 1994; amended at 18 Ill. Reg. 12829, effective August 5, 1994; amended at 18 Ill. Reg. 14103, effective August 26, 1994; amended at 19 Ill. Reg. 5626, effective March 31, 1995; amended at 19 Ill. Reg. 6648, effective May 5, 1995; emergency amendment at 19 Ill. Reg. 12705, effective September 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13595, effective October 1, 1995; amended at 20 Ill. Reg. 1593, effective January 11, 1996; peremptory amendment at 20 Ill. Reg. 2229, effective January 17, 1996; amended at 20 Ill. Reg. 7902, effective June 1, 1996; amended at 20 Ill. Reg. 11935, effective August 14, 1996; emergency amendment at 20 Ill. Reg. 13381, effective October 1, 1996, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 13668, effective October 8, 1996, for a maximum of 150 days; amended at 21 Ill. Reg. 3156, effective February 28, 1997; amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART H: FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM

## Section 121.160 Persons Required to Participate

- a) All individuals receiving food stamps, who reside in areas exempt from the work requirement, may ~~are not exempt~~ will be required to participate in the Food Stamp Employment and Training program, to the extent resources are available. This includes, in priority order:
  - 1) adults ~~Adults~~ who receive food stamps and who volunteer or are court-ordered. If resources are available, these individuals may be required to participate in other Food Stamp Employment and Training activities;
  - 2) exempt and nonexempt individuals ordered by a court of competent jurisdiction to participate in Earnfare. Receipt of food stamps is not an eligibility requirement for individuals ordered by a court of competent jurisdiction who are non-custodial parents of AFDC children ~~Recipients of transitional assistance~~;
  - 3) all other nonexempt food stamp recipients not receiving AFDC or Refugee Assistance ~~Nonexempt clients receiving family and children assistance may be required to participate in the Food Stamp Employment and Training program. See 89 Ill. Adm. Code 112-70 through 112-76 for requirements for these clients~~;
  - 4) recipients of Transitional Assistance. ~~Exempt and nonexempt individuals ordered by a court of competent jurisdiction to~~



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participate in Earnfare; receipt of food stamps is not an eligibility requirement for individuals ordered by a court of competent jurisdiction who are non-custodial parents of APBE children; and

5) nonexempt clients receiving Family and Children Assistance may be required to participate in the Food Stamp Employment and Training program. See 89 Ill. Adm. Code 112.70 through 112.76 for requirements for these clients; and All other nonexempt food stamp recipients not receiving APBE or Refugee Assistance;

6) individuals who are homeless.

b) Those individuals exempt from the Food Stamp Employment and Training program are (however, individuals may volunteer to participate):

- 1) under age 18 or over age 50 individuals age 55 or over;
- 2) medically certified as physically or mentally unfit for employment persons who are participating in a substance abuse treatment program or who are on a waiting list for such a program;
- 3) pregnant individuals who are homeless; Homeless in this instance is someone who has no current address and no expectation of acquiring a residence in the next 30 days; It excludes individuals living with friends or relatives on a continuous basis; It includes individuals in overnight transitional shelters; Under this category of exemption if the individual remains homeless after 12 months the individual is deemed no longer exempt from program participation unless exempt under a different category;

4) a student enrolled at least half time individuals who are chronically ill; as determined by a physician or licensed/certified psychologist who finds that a physical or mental impairment either by itself or in conjunction with age or other factors prevents the person from engaging in employment or participating in the Food Stamp Employment and Training program;

5) a member of a household responsible for a dependent child persons who are temporarily ill for the medically documented period of the illness;

6) responsible for the care of an incapacitated person individuals who have another household member who requires the full-time care of the individual;

7) participating in a drug addiction or alcoholic treatment and rehabilitation program individuals who are under 16 years of age; receiving weekly earnings of at least the federal minimum wage times 30 hours individuals age 16 or 17 who are not the head of a household or who are attending school or are enrolled in a training program on at least a half-time basis; or

9) receiving Unemployment Insurance. Students enrolled at least half-time in any recognized school training program or institution of higher education provided that students enrolled at least half-time in an institution of higher education have met

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the eligibility conditions as defined at 7-CFR-273.5; A student enrolled in a school training program or institution of higher education shall remain exempt during normal periods of class attendance, vacation and recess, unless the student graduates, is suspended or expelled, drops out or does not intend to register for the next normal school term (excluding summer);

10) individuals who are employed or self-employed and working a minimum of 30 hours per week or receiving earnings equal to or greater than 30 times the Federal Minimum Wage;

11) individuals receiving unemployment insurance or individuals who have applied for unemployment insurance if the person was required to register for work with Job Service as part of the unemployment compensation application process; and

12) persons who are full-time VISTA volunteers under title I of the 1973 Domestic Volunteer Services Act (42-U.S.C. 4951 et seq.) who were recipients of public assistance under Article VI of the Illinois Public Aid Code (305-IACS-5/Art. VII) when they joined VISTA or are full-time volunteers under title II of the Act (15-U.S.C. 637 et seq.) which includes foster grandparents, senior health aides, senior companions or persons serving in the Senior Corps of Retired Executives (SCORE) and Active Corps of Executives (ACE);

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 121.162 Participation and Cooperation Requirements

a) To the extent resources allow, the Department shall establish employment, education and training programs for food stamp recipients in the Food Stamp Employment and Training program. All Food Stamp Assistance recipients not exempt under Section 121.160(b) may be required to participate and cooperate in the Food Stamp Employment and Training program to the extent resources allow. Individuals who are not Food Stamp Assistance recipients may be ordered by a court of competent jurisdiction to participate in the Earnfare component if they are non-custodial parents of AFDC children. The individual will be given the participation requirements in writing for each component to which the individual is assigned. These components include:

- 1) Earnfare (see Section 121.182), which is limited to adults who receive food stamps and who volunteer or are court-ordered to participate Basic Education (see Section 121.172);
- 2) Work Experience (see Section 121.176) Job Training (see Section 121.170);
- 3) Job Training (see Section 121.178) Job Search (see Section 121.170);
- 4) Basic Education (see Section 121.172) Work Experience (see Section 121.176);

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- 5) Job Search (see Section 121.170); and Job Readiness (see Section 121.174);
- 6) Job Readiness (see Section 121.174). Grant-Diversification (see Section 121.180); and
- 7) Earnfare (see Section 121.182); which is limited to adults who receive food stamps and who volunteer or are court-ordered to participate.
- b) The individual may be required to participate in such employment and training programs for up to five days per week and 30 hours per week up to a maximum of 120 hours per month.
- b)c) An individual is required to participate in the Food Stamp Employment and Training program by:
- 1) Cooperating with the Food Stamp Employment and Training program. Cooperation with the Food Stamp Employment and Training program is defined as providing information on the individual's background, education level, and work history as well as factors affecting employability or ability to meet participation requirements (including health, physical or mental limitations, family problems, and any other related factors), appearing for scheduled meetings, and complying with the requirements of the Food Stamp Employment and Training program components identified in Sections 121.170 through 121.182.
  - 2) Job Contacts in Job Search. Individuals are required to make 20 acceptable employer contacts in every 30 calendar days while in the Job Search component.
    - A) Ten of the 20 required contacts must be either:
      - i) the completion and return of an application;
      - ii) a face-to-face interview with an employer.
    - B) The remaining ten contacts may be any combination of the following:
      - i) the completion and return of an application;
      - ii) a face-to-face interview with an employer;
      - iii) the completion of a civil service test required for employment with the State, Local, or Federal Government;
      - iv) the completion of a Job Service screening test;
      - v) the mailing of a resume with a cover letter to an employer;
      - vi) for union members in good standing, reporting to the union hall;
      - vii) reporting to a day labor hall; or
      - viii) reporting for temporary office service.
- C) Acceptable contacts are documented by written statements provided to the Food Stamp Employment and Training worker by the individual. The Food Stamp Employment and Training worker may verify the job contacts by contacting the employer.
- D) No individual shall be sanctioned and/or have Food Stamps

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- disqualified for failure to make the appropriate number of job contacts if the individual has made a good faith effort to make the job contacts. Whether an individual has made a good faith effort to make the required number and types of contacts is based on all the facts and circumstances of each case. Good faith effort exists when circumstances beyond the control of the individual prevent the individual from making the required number of contacts. Good faith effort may include, but is not limited to, the following:
- i) the individual appears for a scheduled interview and the employer misses the appointment;
  - ii) the individual has fewer than 20 contacts and/or fewer than ten interviews or applications, but came reasonably close to the required numbers in an effort to find work;
  - iii) the individual fails a civil service or other employment screening test;
  - iv) the individual completes an application which is not accepted by the employer; and
  - v) the individual's job search performance indicates that the individual should be in a different Food Stamp Employment and Training component or in a rehabilitation program or should be evaluated by the Client Assessment Unit as potentially eligible for SSI.
- 3) Responding to a job referral of suitable employment (such as, a written statement referring a mandatory registrant to an employer for a specific position).
- 4) Accepting a bona fide offer of suitable employment. An individual must be given the opportunity to explain why an offer of employment was not accepted.
- A) A bona fide offer of suitable employment is where there was a definite offer of employment substantiated by confirmation from the prospective employer at wages meeting any applicable minimum wage requirements and which are customary for such work in the community, based on information obtained from the Department of Employment Security; and
- B) Suitable employment must meet the following requirements:
- i) there are no questions as to the mandatory registrant's inability to engage in such employment for medical reasons or because he has no way to get to or from the particular job;
  - ii) there are no questions of working conditions, such as risks to health, safety, or lack of worker's compensation protection;
  - iii) wages offered must be at least the Federal minimum wage, the State minimum wage, or \$4.25 per hour (if neither the Federal nor State minimum wage is



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- applicable);
- iv) if the wages are offered on a piece-rate basis, the amount the individual can reasonably be expected to earn must equal the wages as outlined in subsection (c)(4)(B)(iii) of this Section;
  - v) the mandatory registrant may not be required, as a condition of employment, to join, resign from, or refrain from joining any legitimate labor organization;
  - vi) there is no unreasonable degree of risk to the mandatory registrant's health and safety; and
  - vii) the mandatory registrant is physically and mentally competent to perform the work.
- 5) Registering and appearing for any subsequent interviews at the Department of Employment Security's Job Service offices.
- c) ~~d~~ Food Stamp Employment and Training participants who are employed must:
- 1) continue ~~continue~~ their employment; and
  - 2) not ~~Not~~ reduce their employment (for example, voluntarily reducing work hours).
- d) ~~e~~ Failure to participate or cooperate with the Food Stamp Employment and Training requirements listed in this Section, without good cause, will result in a food stamp disqualification and/or financial sanction as outlined in Section 121.184.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 121.164 Orientation

- a) The Department shall arrange for individuals to receive a program orientation and an assessment to develop an employability plan. The orientation may be conducted by a provider of training or employment programs. When the orientation is scheduled by the Department, individuals will be sent a letter from the Department which includes the following information:
- 1) the fact of the individual's registration;
  - 2) the right to request an exemption;
  - 3) a complete description of all available exemptions;
  - 4) the date and time of the meeting;
  - 5) a description of the program and the purpose of the meeting;
  - 6) the consequences of failing to attend;
  - 7) the right to reschedule the appointment with good cause;
  - 8) the right to request transportation services to attend; and
  - 9) the printed name of the worker to contact for such purposes.
- b) In an orientation meeting, individuals will receive an explanation of the Food Stamp Employment and Training program, including Earnfare. The orientation shall include information regarding participation

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- requirements, the distribution of a Food Stamp Employment and Training program booklet and an explanation of its contents which contains program information including the following:
- 1) an overview of the Food Stamp Employment and Training program, including Earnfare for those who are eligible to participate in Earnfare;
  - 2) the exemption criteria listed in Section 121.160(b);
  - 3) a description of all Food Stamp Employment and Training program components, eligibility criteria, and specific participation requirements for each component;
  - 4) general participation requirements, such as appearing for scheduled meetings with Food Stamp Employment and Training program staff, responding to a job referral, and accepting a bona fide offer of suitable employment as described in Section 121.162(c);
  - 5) the individual's responsibilities while in the Job Search component as described in Sections 121.162(c)(2) and 121.170;
  - 6) the Job Search allowance and the other supportive services identified in Section 121.188;
  - 7) information on what constitutes an acceptable employer contact;
  - 8) the assessment process and employability plan as described in Section 121.166; and
  - 9) the result of the individual's failure to cooperate, without good cause, with the Food Stamp Employment and Training program.
- c) When providing an orientation to individuals eligible for Earnfare, the orientation meeting shall include an explanation of participation requirements, the maximum Earnfare payment amount and the fact that individuals who volunteer for Earnfare are not subject to financial sanctions or food stamp disqualifications for refusal or failure to comply with Earnfare requirements.
- d) Nonexempt ~~Mandatory~~ registrants must attend all scheduled orientation meetings or notify their Food Stamp Employment and Training worker of good cause to be excused and have their meeting rescheduled (see Section 121.186).
- 1) If an individual fails to attend an orientation meeting, on--two separate--occasions ~~without~~ good cause (see Section 121.186), Transitional Assistance will be sanctioned and/or Food Stamp Assistance shall be discontinued.
  - 2) If the nonexempt mandatory registrant fails to attend an orientation meeting on--two--separate--occasions but has good cause (see Section 121.186) on--at--least--one--occasion, Transitional Assistance and/or Food Stamp Assistance shall be reinstated (if cancelled) and the nonexempt mandatory registrant shall be reimbursed for any Transitional Assistance lost.
  - 3) Transitional Assistance and/or Food Stamp Assistance shall be reinstated effective the date of the discontinuance if the mandatory registrant agrees to and subsequently attends an orientation meeting, provided the date of agreement falls on or

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before the last day of the fiscal month of the discontinuance. Individuals who sign an agreement and who subsequently attend the orientation meeting shall receive an assessment (as explained in Section 121.166) as part of the orientation session.

- 4) The Department shall attempt to schedule the orientation meeting on the day that the nonexempt mandatory registrant agrees to attend such orientation, or as soon thereafter as possible.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 121.166 Assessment and Employability Plan**

## a) Assessment and Employability Plan

- 1) All individuals shall undergo an assessment to develop an employability plan.
- 2) The assessment shall include collection of information to the extent it is readily provided by the client on the individual's background, age, literacy, education achievement level, job training and work experience as well as factors affecting employability or ability to meet participation requirements (for example, health, physical or mental limitations, recent institutionalization, family problems). In addition, facts relevant to a determination of whether the individual qualifies for an exemption shall be elicited. As part of the assessment process, the individual and Department staff or provider shall work together to establish the employability plan and to identify any supportive service needs required to enable the individual to participate in employment and training and meet the objectives of their employability plan (see subsection (b) of this Section). If during assessment an individual is identified as "not employable," the individual will be referred to apply for Transitional Assistance and for a determination of "not employable" status.

- 3) The employability plan shall contain at least the following:

- A) the employment-related objective;
- B) the Food Stamp Employment and Training component placement;
- C) the supportive services that must be provided or arranged; and

- D) a statement that the supportive services have been provided by the Department or otherwise arranged, including an explanation of specific arrangements and services provided.

## b) The assessment shall take place at least at the following times:

- 1) within ten working days after the date the program orientation is provided to the individual;
- 2) at any time to determine the individual's suitability for a different component (see Section 121.170 through 121.182);
- 3) prior to the assignment to a different component; or if the

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- ~~individual is not cooperating with the requirements of the program (see Sections 121.162 and 121.170 through 121.182);~~
- 4) upon the request of the individual, if the individual is failing to make satisfactory progress in a component or thinks the component is not appropriate. ~~prior to the assignment to a different component, or~~
- 5) ~~upon the request of the individual, if the individual is failing to make satisfactory progress in a component or thinks the component is not appropriate.~~

## c) When the assessment is conducted by the Department, the individual will be notified in writing of the assessment meeting. The notice shall include the following information:

- 1) the date and time of the interview;
- 2) a description of the purpose of the interview;
- 3) the consequences of failing to attend;
- 4) the right to reschedule for good cause (see Section 121.186); and
- 5) the address, telephone number and printed name of the person to contact for such purposes.

## d) Based on the assessment and the eligibility criteria for each Food Stamp Employment and Training component, an individual will be assigned a component or components and receive component specific participation requirements (see Sections 121.170 through 121.182).

- 1) If an individual fails to appear for an assessment interview or to comply with the assessment process without good cause (see Section 121.186), Transitional Assistance and/or Food Stamp Assistance shall be discontinued for the assistance unit.

- 2) If an individual has good cause (see Section 121.186) for failing to appear for an assessment interview or to comply with the assessment process, Transitional Assistance and/or Food Stamp Assistance shall be reinstated (if cancelled) and the individual shall be reimbursed for any Transitional Assistance which has been discontinued because of failure to participate/cooperate in the assessment process. The assessment shall be effective the date of the discontinuance provided the date of agreement falls on or before the last day of the fiscal month for which the discontinuance would be effective. If the date of agreement falls after the last day of the fiscal month for which the discontinuation would be effective, reinstatement shall be effective upon cooperation.

- 3) Transitional Assistance and/or Food Stamp Assistance which has been discontinued because of failure to participate/cooperate in the assessment process shall be reinstated if the individual agrees to undergo an assessment and the assessment subsequently takes place. The reinstatement shall be effective the date of the discontinuance provided the date of agreement falls on or before the last day of the fiscal month for which the discontinuance would be effective. If the date of agreement falls after the last day of the fiscal month for which the discontinuation would be effective, reinstatement shall be effective upon cooperation.

- 4) The Department shall attempt to schedule the assessment interview on the same day that the individual agrees to cooperate with the assessment or as soon thereafter as possible.

- e) The individual shall be notified in writing of the discontinuance of Transitional Assistance and/or Food Stamp Assistance, due to failure to comply with this Section or Section 121.162(e). The notice shall



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state, with specificity, the action being taken and the reasons for the action, the acts constituting the noncompliance and the date of such acts. The notice shall also state the right to be restored to Transitional Assistance without loss of benefits upon completion of the conditions stated in this Section and Section 121.162(e).

- f) Food Stamp Employment and Training program participation shall not be required in the event that supportive services or other resources identified in the employability plan are needed for effective participation but are unavailable from the Department or from some reasonably available source.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 121.170 Job Search Component

- a) Individuals assigned to the Job Search (JS) component based upon the employability plan must attend all scheduled meetings, including pre-arranged Job Skills Workshops conducted by other than Food Stamp Employment and Training staff. The individual will be notified in writing of all scheduled meetings. The failure of an individual to appear for scheduled meetings without good cause will constitute noncooperation.

- b) Individuals who fail to cooperate in Job Search without good cause shall be subject to financial sanction and/or food stamp disqualification as explained in Section 121.184.

- c) The individual is required to actively contact employers in his or her efforts to secure employment (nonexempt **mandatory** registrants are required to make 20 acceptable employer contacts every 30 days). No individual shall receive a financial sanction and/or a food stamp disqualification for failure to make the appropriate number of job contacts, if the individual has made a good faith effort to make the job contacts (see Section 121.162(b)(4)(2)).

- d) Individuals may be assigned to Job Search for a maximum of eight weeks within a 12 consecutive month period.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 121.172 Basic Education Component

- a) In the Basic Education component, Food Stamp Employment and Training staff provide information, referral, counseling services and supportive services to individuals to increase their employment potential and to remove significant barriers to employment. Individuals may be referred to testing, counseling and education resources, rehabilitation therapy, and agencies or programs which sponsor such activities, such as Job Training Partnership Act (JTPA)

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- b) and Department of Rehabilitation Services (DORS).

Eligibility Criteria. Approval of education and training plans is based upon the Department's assessment of the following factors:

- 1) The program selected will lead to unsubsidized employment **making an individual employable**, taking into consideration the time required to complete, and the over-all cost and quality of the program ~~(see Section 121.170(d))~~;

- 2) An individual has the aptitude, ability and interest necessary for success in the particular education or training program (as determined by such factors as test results, educational background and previous training);

- 3) The program must be administered by an educational institution accredited by the Illinois State Board of Education or the Department of Professional Regulation or be a Job Training Partnership Act (JTPA) funded program;

- 4) An individual must apply for the Pell grant and scholarships from the Illinois Student Assistance Commission, as well as any scholarships or grants identified by the education or training facility for which an individual may be eligible. Such funds shall be exempt from consideration as income to the extent they are used to pay educational expenses, such as books, tuition and fees, provided the individual is participating under an approved Food Stamp Employment and Training education and training plan;

- 5) An individual does not possess a high school diploma or a GED certificate;

- 6) An individual must participate in a full-time program as defined by the educational program unless:

A) a full-time program is not available (for example, a full-time GED program is not available); or

B) a part-time program is the most appropriate, as determined by the Food Stamp Employment and Training program.

- c) Entry into the Component. The assignment into the Basic Education component results from the joint employability plan developed by the individual and the Food Stamp Employment and Training worker (see Section 121.166).

- d) Participation Requirements

- 1) An individual must maintain a level of satisfactory progress as established and reported by the educational facility.

- 2) Failure of an individual to attend training or education classes three times in a 30 day period without good cause shall result in a financial sanction and/or food stamp disqualification (see Section 121.184). Failure to participate without good cause in classes as defined by the education or training facility shall result in a financial sanction and/or food stamp disqualification (see Section 121.184).

- 3) Curriculum changes can be made only with the prior written approval of the Food Stamp Employment and Training worker. Prior approval will be granted when the curriculum change is consistent

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with the written goals of the training program.

- 4) An individual must provide monthly verification of attendance and progress (for example, statements signed by the instructor, educational records and reports prepared at the end of the term).
- e) Contact with Individuals. An individual is to contact the Food Stamp Employment and Training worker on a monthly basis if the supportive service payments identified in Section 121.188 are being issued.
- f) Availability of Slots. If the Department determines the individual should be in the Basic Education component, but there are no appropriate slots available, the individual may be assigned to another appropriate component, while waiting for an appropriate Basic Education slot to become available.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 121.174 Job Readiness Component

- a) An individual who has not found employment and who needs to learn the necessary essentials to obtain and maintain employment may be referred to the Job Readiness component. The Job Readiness component helps an individual gain necessary job finding skills to help find and retain employment.

## b) Eligibility Criteria

- 1) The Job Readiness component is appropriate for an individual ~~determined-to-be-near-job-ready-and~~ who requires assistance to perfect job finding techniques and improve interview skills needed to obtain and to retain employment.
- 2) Job Readiness activities may be combined with other component activities if determined appropriate.

## c) Participation Requirements

- 1) Participation must be full-time unless a full-time program is not readily available or a part-time program is most appropriate based upon the individual's circumstances.
- 2) The individual must attend all scheduled classes or sessions. The individual must make satisfactory progress based upon the written policy of the job readiness provider. If there is a job search component in the program, the individual must make up to eight acceptable employer contacts in a 30 day period.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 121.176 Work Experience Component

- a) An individual who needs orientation to work, work experience, or training in order to prevent deterioration of skills or to enhance existing skills may be referred to the Work Experience component.

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This is to provide the individual with a meaningful experience in the world of work experience. The work experience sponsor shall not use Work Experience nonexempt mandatory registrants to displace regular employees.

- b) Eligibility Criteria. The Work Experience component is appropriate for nonexempt mandatory registrants determined:
  - 1) to have no recent work history or employer references taking into consideration such factors as the nonexempt mandatory registrant's educational background and previous training; or
  - 2) to need experience to prevent deterioration of skills, or to enhance existing skills (for example, typing).

## c) Entry into the Component

- 1) An individual who is determined eligible for the Work Experience component, based on an assessment of education, training and employment history, may be assigned to the Work Experience component. The Procedures-used-in--the assessment are--a face-to-face-meeting-with-the-individual-and includes a review of all available information on the individual (including but not limited to an individual's case record).
- 2) the-Work-Experience-involves-participation-in--the-fields-of health-social-services--environmental-protection--urban-and-rural-development-welfare-recreation-public-facilities-public safety-and-day-care. Individuals shall be placed in a Work Experience assignment any-of-the--fields considering, to the extent possible, their prior training, proficiency, experience, skills, and vocational preference. Individuals will be selected for the appropriate Work Experience assignment field taking into consideration such factors as an individual's work history and the needs of the sponsor.

## d) Participation Requirements

- 1) A work assignment consists of three consecutive months. An individual is required to work with community based not-for-profit, private or government agencies and with public or private education and vocational training institutions. (The date an individual is to appear at the work assignment begins the work assignment period.) An individual is required to work not more than the number of hours that correspond with his or her level of Transitional Assistance grant and/or Food Stamp benefits, divided by the higher of the federal or State minimum wage up to a maximum of 20 hours each month. If an individual is also a member of a Food Stamp household consisting of more than one person, Food Stamp benefits shall be prorated among all members of the household to determine the number of hours the registrant is required to complete in the work assignment.
- 2) An existing-work-assignment--an-individual-may--be-required--to participate-in-education-and-training-programs--Additional--an individual is required to accept bona fide offers of employment pursuant to Section 121.162(b)(4).



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- 3) An individual is also required to report as scheduled and on time to the work assignment sponsor when notified of an assignment. When an individual cannot report to the work assignment or if the individual will be late, he or she is to immediately notify the work assignment sponsor.
- 4) Failure to report to the job assignment initially without good cause or failure to attend the work assignment one day in a 30 day period without good cause shall result in a financial sanction and/or food stamp disqualification.
- e) Job Search. During work assignment, an individual who is not in an approved education and training program is required to make eight acceptable employer contacts in a 30 day period. Failure to make the required employer contacts without good cause shall result in a financial sanction and/or food stamp disqualification (see Section 121.162(b)(7)(2)).
- f) **Assessment Reassignment.** At the end of the three month period, an individual's employability will be evaluated using the procedures and criteria described in Section 121.166. If continuing the work assignment will benefit an individual in terms of furthering work skills (see subsection (b) of this Section), the individual shall be reassigned to the work assignment. Otherwise, an individual will be assessed for assignment to another Food Stamp Employment and Training component.
- g) Displacement
  - 1) The work assignment sponsor shall not use individuals participating in the Food Stamp Employment and Training program to displace the sponsor's employees:
    - A) who are already employed as regular full-time or part-time employees of the sponsor, regardless of whether those employees are on active status or are on leave status due to disability, personal reasons, or any other reason;
    - B) who are or have been involved in a labor dispute between a labor organization and the sponsor; or
    - C) who have been temporarily laid off by the sponsor.
  - 2) Individuals or their representatives may file a grievance with the Department if they believe their work assignments are causing displacement. In order for the Department to consider a grievance, it must be in writing and contain the following information:
    - A) the name and address of the individual (the grievant);
    - B) the individual's public aid case number;
    - C) the individual's social security number;
    - D) the work assignment (work site); and
    - E) a statement as to why an individual believes he or she is causing displacement.
  - 3) Within ten days after receipt of a written grievance, the Department will arrange an in-person conference with:
    - A) the individual;

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- B) the individual's representative, if any;
- C) the work assignment sponsor;
- D) the work assignment sponsor's representative, if any; and
- E) the Department's representative.
- 4) At the in-person conference, the Department will solicit and receive from the individual and the work assignment sponsor any documents and statements relevant to the matters alleged in the grievance. The work assignment sponsor shall provide documents or other information requested by the individual and/or the Department.
- 5) Within 15 days after the in-person conference, the Department will advise the individual and the work assignment sponsor, in writing, of the information obtained in the investigation and of the findings and conclusions as to the matters alleged in the grievance.
- 6) If the Department concludes that displacement occurred, the Department will terminate the individual's assignment to that work assignment sponsor. If the Department concludes, as a result of the evidence presented at the conference, that the work assignment sponsor has caused displacement by use of individuals participating in the Food Stamp Employment Training program in addition to the individual grievant, then the Department may terminate the Food Stamp Employment and Training program participants' assignment to that work assignment sponsor.
- 7) All individuals are assured that no retaliation will be taken against them by the Department, its employees, or the work assignment sponsor for filing a grievance or otherwise proceeding under this subsection (g).

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 121.178 Job Training Component

- a) Individuals who will benefit from short-term training to obtain unsubsidized employment ~~and job placement assistance~~ are referred to the Job Training component. The Job Training component offers special time-limited services for specific target populations.
- b) Eligibility Criteria. The Job Training component is appropriate for individuals determined to:
  - 1) be able to benefit from short-term vocational training (for example, an individual who has the interest and ability to complete the training program and be hired in a position for which an individual has trained); and
  - 2) be readily employable with the addition of short-term training (for example, training for a specific job for which there are jobs available).<sup>7-and</sup>
- 3) ~~meet specific project entry criteria~~

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- c) Entry into the Component. Assignment of individuals to Job Training will be made as a result of the assessment and development of the employability plan.
- d) Participation Requirements
- 1) The individual must maintain a level of satisfactory attendance and progress as established and reported by the training provider. Failure of an individual to attend training classes, without good cause, three times in a 30 day period shall result in a financial sanction and/or food stamp disqualification as specified for the Job Training component.
  - 2) The individual must provide verification of attendance and progress (for example, statements signed by the instructor, records and reports prepared at the end of the term). The individual must provide monthly written verification of attendance.
- e) Contact with individual
- 1) The Food Stamp Employment and Training worker shall have contact with the individual on a monthly basis. Contact consists of attendance reports, progress reports, group or individual sessions, on-site program visits and written correspondence.
  - 2) The individual must provide verification of progress such as statements signed by the instructor and records and reports prepared at the end of the term). The individual must provide monthly verification of attendance.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 121.180 Grant Diversion Component (Repealed)

- a) In the Grant Diversion component, the individuals' Transitional Assistance grant is diverted to the employer or contractor to offset the costs of training a new employee. The employer will be responsible for making payments to the individual in the form of a salary at not less than the federal minimum wage and the individual shall receive the same benefits as those provided to all company staff members for their position title. At the end of the training period, the employer is expected to continue the employment of the individual without the diverted funds. The Transitional Assistance grant is diverted to a contractor who provides training and pays the individual wages during the training and then places the individual into unsubsidized full-time employment.
- b) Eligibility Criteria: The Grant Diversion component is appropriate for individuals determined:
- 1) to be receiving Transitional Assistance grant and food stamps
  - 2) to possess the aptitude, ability and interest necessary for success in the selected program as determined by such factors as test results and educational/training background

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- 3) to need experience to prevent deterioration of, or to enhance existing skills, and
  - 4) who volunteer.
- e) Entry into the Component: The assignment to the Grant Diversion component results from the assessment and employability plan developed by the individual and the Food Stamp Employment and Training worker.
- d) Participation Requirements
- 1) The individual must agree to accept wages from employment. The employer will be responsible for making payments to the individual in the form of a salary at not less than the federal minimum wage (higher if the position warrants), less applicable payroll taxes, in lieu of the cash grant, and the individual shall receive the same benefits as those provided to all company staff members for their particular position title.
  - 2) The individual must attend all scheduled days. Failure to attend, as agreed, without good cause, shall result in a food stamp disqualification and/or financial sanction and removal from the Grant Diversion project. If the individual cannot report to the Grant Diversion employer or will be late, he or she is to immediately notify the Grant Diversion employer.
  - 3) Assignment to the component can continue for three to six months as specified in the contract. Individuals are not entitled to be placed in a Grant Diversion slot. Grant Diversion slots are available only to the extent that resources permit.
  - 4) The individual must do satisfactory work as determined by the employer or training provider.
  - 5) Upon completion of the Grant Diversion assignment, participants are required to accept bona fide offers of employment pursuant to Section 121.162(c)(4).
- e) Client Benefits
- 1) While actively involved in a training program, an individual remains eligible for medical assistance.
  - 2) An individual may also be entitled to certain supportive service payments such as initial employment expenses.
- f) Contacts with Employers/Training Providers
- 1) Employers/Training Providers that participate in the Grant Diversion program must enter into a written contract with the Department prior to receiving referrals under this program.
  - 2) Employers/Training Providers must be, and most remain, in good standing with the Illinois Department of Revenue, the Secretary of State and any and all regulatory agencies which have jurisdiction over their activities.
- g) Displacement
- 1) The Grant Diversion sponsor shall not use individuals to displace persons:
    - A) who are already employed as regular full-time or part-time employees of the sponsor regardless of whether those employees are on active status or are on leave status due to



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- disability, personal reasons or any other reason?
- B) who are or have been involved in a labor dispute between a labor organization and the sponsor?
- E) who have been temporarily laid off by the Grant-Diversion employer?
- 2) Individuals in the Grant-Diversion Component or their representatives may file a grievance with the Illinois Department if they believe their work assignments are causing displacement in order for the Department to consider a grievance; it must be in writing and contain the following information:
- A) the name and address of the Grant-Diversion individual (the grievant);
- B) the Grant-Diversion individual's public aid case number;
- E) the Grant-Diversion individual's social security number;
- B) the Grant-Diversion employer (work site); and
- E) a statement as to why the Grant-Diversion individual believes he/she is causing displacement.
- 3) Within ten days after receipt of a written grievance, the Department will arrange an in-person conference with:
- A) the individual in the Grant-Diversion Component;
- B) the representative of the individual in the Grant-Diversion Component;
- E) the individual's Grant-Diversion employer;
- B) the Grant-Diversion employer's representative; if any; and
- E) the Department's representative.
- 4) At the time of the in-person conference, the Department will solicit and receive from the individual in Grant-Diversion and the Grant-Diversion employer any documents and statements relevant to the matters alleged in the grievance. The Grant-Diversion employer shall provide documents or other information requested by the individual and/or the Department.
- 5) Within 15 days after the in-person conference, the Department will advise the Grant-Diversion participant and the Grant-Diversion employer in writing of the information obtained in the investigation and of the findings and conclusions as to the matters alleged in the grievance.
- 6) If the Department concludes that displacement occurred, the Department will terminate the individual's assignment to the Grant-Diversion employer. If the Department concludes as a result of the evidence presented at the conference that the Grant-Diversion employer has caused displacement by use of Food Stamp Employment and Training participants in addition to the grievant in Grant-Diversion, then the Department may terminate those individuals assigned to that Grant-Diversion employer.
- 7) All individuals assigned to Grant-Diversion are assured that no retaliation will be taken against them by the Department, its employees, or the Grant-Diversion employer for filing a grievance or otherwise proceeding under this subsection (g).

(Source: Repealed at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 121.184 Sanctions

- a) An individual who fails to cooperate with the Food Stamp Employment and Training program without good cause and who fails to comply with the conciliation process shall be subject to Transitional Assistance sanction and/or food stamp disqualification. An individual ordered by a court of competent jurisdiction to participate in the Earnfare Component who fails to cooperate shall be referred back to the court for failure to comply with the court order. Individuals who volunteer to participate in Earnfare or individuals ordered by a court of competent jurisdiction to participate are not subject to food stamp disqualifications for non-participation in Earnfare.
- 1) An individual who fails to cooperate with the requirements of the Food Stamp Employment and Training program shall be ineligible for Transitional Assistance for two months and/or shall be disqualified for food stamps for two months. The two month ineligibility and/or food stamp disqualification shall be ended early if the individual actually complies with the appropriate requirement or if the individual becomes exempt.
- 2) Transitional Assistance sanctions and/or food stamp disqualifications shall be imposed against those individuals who refuse or fail to participate without good cause in the Food Stamp Employment and Training program. (See Section 121.186 for good cause.)
- b) Non-cooperation with the Food Stamp Employment and Training program includes one instance of any of the following:
- 1) refusal/failure to respond to a job referral;
- 2) refusal/failure to accept a bona fide offer of suitable employment (see Section 121.162(c)(4));
- 3) discontinuance of suitable employment (including quitting a job after placement and before cancellation) without good cause (see Section 121.162(d)(1));
- 4) reduction of suitable employment (for example, hours of employment) without good cause (see Section 121.162(d)(2)(+)); or
- 5) use of a supportive service payment (see Section 121.188) for something other than the supportive service for which it was provided.
- c) A Transitional Assistance sanction and/or food stamp disqualification will be imposed when an individual fails to comply, without good cause, with the following Food Stamp Employment and Training requirements on one occasion, unless otherwise indicated:
- 1) An individual fails, without good cause, or refuses to respond to a written notice for an appointment. If an individual arrives anytime within 30 minutes after the start of the scheduled meeting, the individual will be considered present. If an

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individual has good cause (see Section 121.186) for being more than 30 minutes late, the tardiness will be excused. The Food Stamp Employment and Training worker will include the individual in a scheduled group or other meeting or re-schedule the individual for another meeting;

- 2) An individual refuses to accept child care, transportation, family counseling or other social service or employment and training services such as testing or employment counseling without good cause, thereby precluding or interrupting participation or progress in the employability plan;
- 3) An individual fails to cooperate in Job Search one time without good cause (see Section 121.182(g)). Each missed session is considered an instance of non-cooperation. Failure of an individual to make the required 20 employer contacts in a 30 day period shall result in a Transitional Assistance sanction and/or a food stamp disqualification (see Sections 121.162(b)(4) and (2));
- 4) Individuals assigned to participate in an Education or a Training component activity must maintain a satisfactory level of attendance as established by the education or training facility. However, failure to attend training or education classes three times in a 30 day period without good cause shall result in a Transitional Assistance sanction and/or food stamp disqualification (see Section 121.186); and
- 5) Failure of an individual to attend training, without good cause, as specified for the Training component shall result in a sanction.
- d) A Transitional Assistance sanction and/or food stamp disqualification shall be imposed only on a nonexempt individual.
- e) No Transitional Assistance sanction or food stamp disqualification will be imposed until Food Stamp Employment and Training staff has sent the individual a written notice scheduling a conciliation meeting and the individual has not shown good cause for non-cooperation and has either failed to attend the meeting without good cause or failed to complete the conciliation process (see Section 121.190). The written notice shall explain the purpose of the appointment and the consequences for failure to attend or failure to show good cause and shall include a definition of good cause. Failure of the nonexempt mandatory registrant to appear for the scheduled meeting is not considered an instance of non-cooperation.
- f) A Transitional Assistance sanction and/or food stamp disqualification shall be rescinded at any level of the Transitional Assistance sanction and/or food stamp disqualification process up through and until the final agency decision, including any appeal hearing, even if not previously mentioned, if the individual establishes good cause (see Section 121.186 for good cause criteria).
- g) The notice of change form issued for a Transitional Assistance sanction and/or food stamp disqualification shall include the following:

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- 1) a description of the acts of non-cooperation with the Food Stamp Employment and Training program, including dates where applicable;
- 2) a statement that the individual's acts were without good cause (see Section 121.186 for good cause criteria) and, if the individual provided a good cause reason, it must state why the reason was rejected and that the individual failed to successfully complete the conciliation process; and
- 3) the following statement: "You will be sanctioned until (last day of sanction period) or until you comply with the appropriate program requirement or become exempt. In order for Transitional Assistance and Food Stamp Assistance to be restored at the end of the financial sanction and/or food stamp disqualification period with no further gap in assistance, you must file an application for Transitional Assistance and/or Food Stamp Assistance between (date) and (date). If you apply later than (date), there may be a further gap in assistance."

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 121.188 Supportive Services

- a) Transitional Assistance recipients and individuals receiving food stamps are eligible to receive supportive service payments in advance, except for orientation, to enable them to participate in the program. Transitional Assistance recipients and individuals receiving food stamps may also be eligible for ~~individuals who are otherwise eligible for Transitional Assistance, but do not receive it--because they are employed--are eligible to receive transportation payments in advance and initial employment expenses.~~ Supportive service costs shall not include the cost of meals away from home.
- b) During the assessment, the supportive services needed by an individual which must be discussed and provided or arranged as needed include at least the following:
  - 1) transportation;
  - 2) employment-related medical services (for example, TB test);
  - 3) vocational rehabilitation;
  - 4) initial employment expenses;
  - 5) required books, fees, supplies;
  - 6) pre-employment and pre-training physical examinations that are needed but not otherwise provided; and
  - 7) clothing allowance to enable participants to report to their Earnfare job site.
- c) Food Stamp Employment and Training program participation will not be required if supportive services are needed for effective participation but unavailable from the Department or some other reasonably available source. Food Stamp Employment and Training program participation will



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not be required in a component if the individual's monthly allowable supportive service expenses exceed the maximum amount allowed by Department policy. Individuals may be required to participate in another component or a less costly activity of the same component to the extent it is consistent with the employability plan established during the individual's assessment.

## d) Eligible Services

## 1) Transportation

A) If required and necessary, expenses for transportation will be provided to enable individuals to attend Orientation meetings and conciliation meetings.

B) Transportation expenses are to be paid to permit participation in the Job Search, Basic Education, Job Training, Job Readiness, Work Experience-Grant-Diversion and Earnfare components.

C) Transportation payments are made at the most economical rate. If the individual's own automobile is used, the established rate per mile (15¢ per mile) will be approved, which includes all vehicle-related expenses.

D) Transportation expenses are to be paid as an initial employment expense to go to and from work for 30 calendar days from the date employment begins until receipt of--first full-paycheck.

E) Transportation expenses are to be paid to Earnfare participants who are not in the Earnfare job search activity component for specific job interviews arranged by their Earnfare employer.

## 2) Job Search Expenses

A) Individuals participating in Job Search will receive an amount not to exceed \$20.00 a month to assist in the payment of job search related expenses.

B) An allowance of \$5.00 a month will be paid to individuals participating in the Work Experience and Job Readiness components to assist in the payment of job search related expenses.

3) Mandatory Fees. Mandatory fees, including application, registration, activities, laboratory, graduation and testing fees, including the fee for the GED test, are provided to individuals enrolled in approved education or training programs (see Sections 121.170 through 121.182). A maximum payment of \$300.00 per 12 month period can be provided. No payments are allowed for tuition.

4) Books and Supplies. Payment is allowed for books, supplies and equipment purchased in accordance with the facility's published list of required items for the particular program in which an individual is enrolled. A maximum payment of \$300.00 per 12 month period can be provided.

5) Physical Examinations. Payment is permitted for individuals to

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obtain required physical examinations if the costs are not otherwise provided by sources such as the employer or the training program.

6) Earnfare clothing allowance. Necessary clothing is provided to enable participants to report to their Earnfare job site. A maximum clothing allowance of \$100.00 per 12 month period can be provided.

## 7) Initial Employment Expenses

A) Payment may be provided for employment expenses incurred when requested within 30 calendar days from the date employment begins. These expenses are paid based on the individual's work days during a 30 calendar day period from the date employment begins. The total amount of all Initial Employment Expenses provided shall not exceed \$400 in a 12 consecutive month period. Payment may be made to individuals employed at least 20 hours weekly on a job that is expected to last at least 30 calendar days, or employed less than 20 hours weekly on a job that is expected to last at least 30 calendar days and total hours of employment plus component activity equal at least 20 hours per week.

## B) These expenses include:

- i) Special clothing (maximum \$200);
  - ii) Required tools which are not provided by the employer (maximum \$200);
  - iii) Repairs of an automobile (maximum \$300);
  - iv) Auto license plate fees;
  - v) Auto liability insurance at the cheapest rate but not to exceed \$150 or three months coverage, whichever is less costly;
  - vi) Transportation expenses at the most reasonable and economical rate, whichever is less. If the mandatory registrant's own car is used, a gas allowance of \$3.00 daily or a rate of 15¢ per mile, whichever is less, shall be authorized;
  - vii) Child care;
  - viii) Physical examination prior to employment if required and not provided by the employer;
  - ix) Other required items related to a specific job (maximum \$300); and
  - x) Item(s) or service(s) purchased that will assist the individual in meeting Illinois Department of Children and Family Services' child care licensing requirements (maximum \$300.00). Item(s) and service(s) may include but are not limited to the purchase of fire extinguishers, smoke alarms, first aid kits and installation of a telephone.
- C) Initial employment expenses will not be authorized to purchase firearms, pay bail bonds or traffic tickets, or pay

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relocation expenses so an individual can accept employment elsewhere.

D) Also not permitted as an initial employment expense are expenses required for the self-employment of the individual except when expenses will assist the individual in becoming an Illinois Department of Children and Family Services licensed child care provider.

e) These allowances are exempt from consideration in determining the Transitional Assistance grant amount.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART I: WORK REQUIREMENT FOR FOOD STAMPS

Section 121.220 Workfare Components

a) To the extent resources allow, the Department shall establish Workfare components to give food stamp recipients an opportunity to meet the work requirement for food stamps by volunteering to participate in the Workfare components. These components include:

1) Earnfare (see Section 121.221), which is limited to adults who receive food stamps and who volunteer or are court-ordered to participate;

2) Volunteer Community Work (see Section 121.222); and

3) Work Experience (see Section 121.223).

b) Food stamp recipients who meet the participation requirements of the Workfare components to retain food stamp eligibility may also participate in other Food Stamp Employment and Training (FSEET) components. These components include Job Search (see Section 121.170), Basic Education (see Section 121.172), Job Readiness (see Section 121.174), and Job Training (see Section 121.178).

(Source: Added at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 121.221 Meeting the Work Requirement with the Earnfare Component

a) Assignment to the Earnfare Component is limited to adults who receive food stamps and who volunteer or are court-ordered to participate.

b) Eligibility Criteria

1) Eligibility for the Earnfare Component shall be limited to six months out of any 12 consecutive month period, except that court-ordered participants shall participate for six months unless the court orders participation for less than six months out of any 12 consecutive month period.

2) Individuals are not entitled to be placed in an Earnfare slot. Earnfare slots shall be made available only as resources permit.

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3) To the extent resources permit, the Earnfare program will allow individuals to work for monthly payments and to improve their employability in order to succeed in obtaining employment.

c) Administration and Contracts

1) The Illinois Department shall administer the Earnfare program in Chicago.

2) The Illinois Department may enter into cooperative agreements with local governmental units in selected geographic areas which want to participate in the operation of the Earnfare program outside the City of Chicago. The Department shall establish the policies and procedures for the program and monitor Earnfare programs in local governmental units. Local governmental units will be eligible to participate in the operation of an Earnfare program in the following priority order as resources permit:

A) Local governmental units that receive State funds.

B) Local governmental units that neither receive State funds nor are under a current contract with the Department will be eligible to contract with the Department to administer Earnfare. The Department will reimburse client payments, transportation and up to 50% of allowable administrative staff costs. The Department will select non-receiving units to participate in the program from the applications received based on, but not limited to, the unemployment rate, percentage of the population receiving food stamps, outreach and recruitment plans, linkage with employers and connection to a court of competent jurisdiction to enable operation of the Non-Custodial Parent/Earnfare Initiative.

3) The Illinois Department may enter into contracts with other public agencies, including State agencies, local governmental units, and not-for-profit community based organizations, to help develop Earnfare opportunities and otherwise administer the program.

4) The Illinois Department may enter into contracts with community based organizations as comprehensive providers to administer and operate Earnfare in the City of Chicago.

5) The Illinois Department shall provide Worker's Compensation coverage for each individual assigned to Earnfare.

d) Notification and Referrals

1) In areas where an Earnfare program is operating, when the Illinois Department or the local governmental unit learns that individuals are in the following categories, it shall inform them in writing and, whenever possible, orally of the existence of Earnfare and the method for requesting an Earnfare referral.

A) Households approved or certified for non-assistance food stamps which do not have net food stamp income in excess of \$154.00 per month;

B) All persons denied or terminated from State Transitional Assistance because they are employable; and



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- C) All Earnfare participants, who shall be given a written notice at the time they leave the Earnfare program specifying when they will re-qualify.
- 2) The Illinois Department, comprehensive providers and participating downstate local governmental units shall make referrals to the Earnfare program as follows:
- A) Any person may request a referral.
  - B) Exempt and nonexempt food stamp individuals and individuals not receiving food stamps who are non-custodial parents of AFDC children may be ordered by a court of competent jurisdiction to participate in the Earnfare Component.
  - C) Within 30 days after a request for an Earnfare referral:
    - i) persons who do not qualify for the Earnfare program shall be given or sent a notice informing them that they do not qualify and will not receive a referral;
    - ii) persons who request a referral and who qualify for the Earnfare program shall be provided with a written document that acknowledges the request and informs the individual that he/she is qualified.
  - 3) Within 30 days after notice of eligibility, individuals shall be assessed and referred to appropriate Earnfare slots, if slots are available.
  - e) For the purposes of Earnfare, a "suitable" Earnfare slot must meet the following requirements:
    - 1) there are no questions as to the individual's ability to engage in such employment for medical reasons or because the individual has no way to get to or from the particular job;
    - 2) there are no questions of working conditions, such as risks to health, safety, or lack of worker's compensation protection;
    - 3) the individual may not be required, as a condition of employment, to join, resign from, or refrain from joining any legitimate labor organization;
    - 4) there is no unreasonable degree of risk to the individual's health and safety; and
    - 5) the individual is physically and mentally competent to perform the work.
  - f) Individuals participating in Earnfare shall not displace or substitute for regular, full-time or part-time employees, regardless of whether the employee is currently working, on a leave of absence, or in a position or similar position where a layoff has taken place or the employer has terminated the employment of any regular employee or otherwise reduced its work force with the effect of filling the vacancy so created with an individual subsidized under this program, or is or has been involved in a labor dispute between a labor organization and the sponsor.
  - g) Entry into the Component
    - 1) Individuals shall be referred to suitable Earnfare slots with local governmental units, not-for-profit community based and

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- local organizations, other public agencies, including State agencies, and private employers.
- 2) To the extent appropriate slots are available, individuals will be referred to suitable Earnfare activities based on an assessment of the individual's age, literacy, education, educational achievement, job training, work experience, and recent institutionalization, whenever these factors are known and are relevant to the individual's success in carrying out the assigned activities and in ultimately obtaining employment. The Department or the participating local governmental unit shall discuss with the individual available Earnfare assignments, together with any restrictions and qualifications the Earnfare employers have specified for the assignments. The individual's personal preferences for available Earnfare assignments and the individual's employment goals shall be ascertained and considered in making the Earnfare referral.
- 3) The Department, comprehensive providers and local governmental units shall maintain up-to-date public listings by area of Earnfare employers and current information regarding openings in those projects. These listings and the information shall be available to the public, in writing or by phone, during regular business hours.
- h) Payments
- 1) Individuals participating in Earnfare shall engage in hours of work equal to the amount of the food stamp benefits divided by the federal minimum wage up to a maximum of 26 hours and subsequently shall earn assistance at minimum wage for each additional hour of performance in Earnfare activity, up to a maximum of \$231.00 per month. Effective October 1, 1996, the date the federal minimum wage was increased to \$4.75 per hour, individuals participating in Earnfare shall be able to earn a maximum of \$261.00 per month. Effective September 1, 1997, the date the federal minimum wage is increased to \$5.15 per hour, individuals participating in Earnfare shall be able to earn a maximum of \$294.00 per month. An individual is considered to have participated in Earnfare and remains eligible for food stamps in any month he or she earns a payment.
  - A) If a court of competent jurisdiction orders an individual to participate in the Earnfare program, hours engaged in employment-assigned activities multiplied by the federal minimum wage shall first be applied as a \$50.00 payment made to the custodial parent as a support obligation. If the individual receives food stamps, the individual shall engage in hours of employment-assigned activities equal to the amount of the food stamp benefits divided by the federal minimum wage up to a maximum of 26 hours and subsequently shall earn assistance at minimum wage for each additional hour of performance in Earnfare activity. The individual

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can earn a maximum of \$231.00 each month including the amount of the support obligation. Effective October 1, 1996, the date the federal minimum wage was increased to \$4.75 per hour, individuals participating in Earnfare shall be able to earn a maximum of \$261.00 each month, including the amount of the support obligation. Effective September 1, 1997, the date the federal minimum wage is increased to \$5.15 per hour, individuals participating in Earnfare shall be able to earn a maximum of \$294.00 per month, including the amount of the support obligation.

B) Individuals will be assigned hours of Earnfare based upon their initial food stamp authorization amount. An individual living in a multi-person food stamp household shall be deemed to be receiving a per capita share of the household's food stamp allotment, for purposes of calculating the Earnfare hours.

C) During an individual's Earnfare participation, the Department or the local governmental unit shall alter the Earnfare hours each time the individual's monthly food stamp benefit changes by at least \$20.00, effective the same month as the change in the food stamp benefit. Individuals and contractors will be notified by the Department or the local governmental unit of the number of hours of work to be performed by an individual in Earnfare.

2) Individuals remain financially eligible for Earnfare and Earnfare job search activity so long as they receive food stamps. Receipt of food stamps is not an eligibility requirement of Earnfare when a court of competent jurisdiction orders an individual who is a non-custodial parent of AFDC children.

3) The Department may pay participants directly or may contract for the Earnfare employer to pay the individual. Payments shall be made no less frequently than monthly. Individuals shall be paid only for the hours they have actually worked in excess of the food stamp hours of work obligation and, if ordered by a court of competent jurisdiction, in excess of food stamp hours and the support obligation.

4) Individuals shall be credited with hours of work that the Earnfare employer certifies them to have completed, according to criteria set forth in the contract with the Department, comprehensive providers or the local governmental Department, comprehensive providers or the local governmental unit staff shall attempt to resolve disputes between the Earnfare employer and the individual when there is disagreement over the number of hours worked. If the dispute cannot be resolved, the individual may utilize the Department's appeal process.

5) The Department or the provider shall, in advance, provide individuals participating in Earnfare who need transportation with the cost of transportation in getting to and from the

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Earnfare site, and for Earnfare participants who are not in the job search component, to specific job interviews arranged by their Earnfare employer. Individuals obtaining unsubsidized employment while participating in Earnfare may be eligible for initial employment expenses as stated in Section 121.124.

6) Participants in the Earnfare job search activity are eligible for employer contact related expenses not to exceed \$20.00 every 30 days for a maximum of two months in a 12 consecutive month period.

7) The Department will provide necessary clothing to enable participants to report to their Earnfare job site. Participants will be required to submit a written request for clothing needed.

## i) Participation Requirements

1) Individuals may volunteer to participate in Earnfare and participation shall be limited to only six months out of any 12 consecutive month period except that court-ordered participants shall participate for six months unless the court orders participation for less than six months out of any 12 consecutive month period. Individuals participating in Earnfare shall engage in hours of work equal to the amount of the food stamp benefits divided by the federal minimum wage up to a maximum of 26 hours and subsequently shall earn assistance at minimum wage for each additional hour of work up to a maximum of \$231.00 per month. Effective October 1, 1996, the date the federal minimum wage was increased to \$4.75 per hour, individuals participating in Earnfare shall be able to earn a maximum of \$261.00 per month. Effective September 1, 1997, the date the federal minimum wage is increased to \$5.15 per hour, individuals participating in Earnfare shall be able to earn a maximum of \$294.00 per month.

A) If a court of competent jurisdiction orders an individual to participate in the Earnfare program, hours engaged in employment-assigned activities multiplied by the federal minimum wage shall first be applied as a \$50.00 payment made to the custodial parent as a support obligation. If the individual receives food stamps, the individual shall engage in hours of employment-assigned activities equal to the amount of the food stamp benefits divided by the federal minimum wage up to a maximum of 26 hours and subsequently shall earn assistance at minimum wage for each hour of performance in Earnfare activity up to \$231.00 each month including the amount of the support obligation. Effective October 1, 1996, the date the federal minimum wage was increased to \$4.75 per hour, individuals participating in Earnfare shall be able to earn a maximum of \$261.00 each month, including the amount of the support obligation. Effective September 1, 1997, the date the federal minimum wage is increased to \$5.15 per hour, individuals participating in Earnfare shall be able to earn a maximum of \$294.00 per month.



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\$294.00 per month, including the amount of the support obligation.

B) Individuals participating in Earnfare first work the number of hours equal to food stamp benefits and subsequently earn financial assistance benefits.

2) Individuals are required to report as scheduled and on time to their Earnfare employer when notified of a referral. When they cannot report to their Earnfare assignment or if they will be late, they are to immediately notify their Earnfare employer.

3) If the individual demonstrates an inability to sustain the work that has been assigned and the Earnfare assignment was appropriate to the individual's abilities, the Department shall reassess the individual and, if appropriate, shall refer the person to apply for Transitional Assistance or federal SSI benefits. If the person is ordered by a court of competent jurisdiction to participate in the Earnfare Component, that person shall also be referred back to the court when unable to perform the work that has been assigned.

4) An individual may be dismissed by the employer from an Earnfare assignment prior to its completion. The Department, comprehensive providers or local governmental unit shall return an individual dismissed by an employer to the client pool. An individual dismissed by an employer shall be treated as a new program entrant for the purpose of Earnfare assignments.

5) Earnfare clients may participate in a voluntary job search activity as resources permit. Earnfare clients may participate for two months in a 12 consecutive month period concurrently with Earnfare. Clients are required to make a minimum of 20 employer contacts each month while in the Earnfare job search activity.

(Source: Added at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 121.222 Volunteer Community Work Component

a) An individual who has to meet the work requirement for food stamps may participate in the Volunteer Community Work Component. The Volunteer Community Work Component helps individuals learn various skills while performing a variety of tasks.

b) Eligibility Criteria

1) The Volunteer Community Work Component is appropriate for an individual who has to meet the work requirement to receive food stamps and is willing or is already performing a Volunteer Community Work assignment.

2) The individual can self-initiate or arrange his or her own Volunteer Community Work assignment with community based organizations and must document the hours, in writing, that the Volunteer Community Work Sponsor certifies the individual to have

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completed and met other Department policy to maintain food stamp eligibility.

c) Participation Requirements

1) Participants must engage in hours of work equal to the amount of their food stamp benefits divided by the higher of the federal or State minimum wage up to a maximum of 20 hours each month.

2) An individual living in a multi-person food stamp household shall be deemed to be receiving a per capita share of the household's food stamp allotment for purposes of calculating the Volunteer Community Work hours. The individuals must engage in hours of work equal to their per capita share divided by the higher of the federal or State minimum wage up to a maximum of 20 hours each month.

3) Individuals shall be credited with hours of work that the Volunteer Community Work Sponsor certifies them to have completed, in writing, when approved by the Department.

d) Volunteer Community Work Sponsors

1) Volunteer Community Work is self-initiated work that an individual can perform with community based organizations, churches or other cooperating agencies or entities.

2) Individuals participating in "Workfare programs", operated by local governmental units, shall be credited with Volunteer Community Work.

(Source: Added at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 121.223 Work Experience Component

a) An individual who has to meet the work requirement for food stamps may volunteer to participate in the Work Experience Component. The Work Experience Sponsor shall not use Work Experience participants to displace regular employees.

b) Eligibility Criteria. The Work Experience Component is appropriate for food stamp recipients who need help meeting the food stamp work requirement.

c) Entry into the Component. Individuals shall be placed in a Work Experience assignment considering, to the extent possible, their prior training, proficiency, experience, skills, and vocational preference. Individuals will be selected for the appropriate Work Experience assignment taking into consideration such factors as the individual's work history and the needs of the sponsor.

d) Participation Requirements

1) An individual is required to work with community based not-for-profit, private or government agencies and with public or private education and vocational training institutions. An individual is required to work not more than the number of hours that correspond with his or her level of food stamp benefits

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divided by the higher of the federal or State minimum wage up to a maximum of 20 hours each month. If an individual is also a member of a food stamp household consisting of more than one person, food stamp benefits shall be prorated among all members of the household to determine the number of hours the registrant is required to complete in the work assignment up to a maximum of 20 hours each month.

- 2) An individual is required to report, as scheduled and on time, to the Work Experience Sponsor when notified of an assignment. When an individual cannot report to the work assignment or if the individual will be late, he or she is to immediately notify the Work Experience Sponsor.

## e) Displacement

- 1) The Work Experience Sponsor shall not use individuals participating in the Work Experience Component to displace the sponsor's employees:

A) who are already employed as regular full-time or part-time employees of the sponsor, regardless of whether those employees are on active status or are on leave status due to disability, personal reasons, or any other reason;

B) who are or have been involved in a labor dispute between a labor organization and the sponsor; or

C) who have been temporarily laid off by the sponsor.

- 2) Individuals or their representatives may file a grievance with the Department if they believe their work assignments are causing a displacement. In order for the Department to consider a grievance, it must be in writing and contain the following information:

A) the name and address of the individual (the grievant);

B) the individual's public aid case number;

C) the individual's social security number;

D) the work assignment (work site); and

E) a statement as to why an individual believes he or she is causing displacement.

- 3) Within ten days after receipt of a written grievance, the Department will arrange an in-person conference with:

A) the individual;

B) the individual's representative, if any;

C) the Work Experience Sponsor;

D) the Work Experience Sponsor's representative, if any; and

E) the Department's representative.

- 4) At the in-person conference, the Department will solicit and receive from the individual and the Work Experience Sponsor any documents and statements relevant to the matters alleged in the grievance. The Work Experience Sponsor shall provide documents or other information requested by the individual and/or the Department.

- 5) Within 15 days after the in-person conference, the Department

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will advise the individual and the Work Experience Sponsor, in writing, of the information obtained in the investigation and of the findings and conclusions as to the matters alleged in the grievance.

- 6) If the Department concludes that displacement occurred, the Department will terminate the individual's assignment to that Work Experience Sponsor. If the Department concludes, as a result of the evidence presented at the conference, that the Work Experience Sponsor has caused displacement by use of individuals participating in the Work Experience Component in addition to the individual grievant, then the Department may terminate the Work Experience participant's assignment to that Work Experience Sponsor.

- 7) All individuals are assured that no retaliation will be taken against them by the Department, its employees, or the Work Experience Sponsor for filing a grievance or otherwise proceeding under this subsection (e).

(Source: Added at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 121.224 Supportive Service Payments to Meet the Work Requirement

- a) Participants are eligible to receive supportive service payments, in advance, to enable them to participate in Earnfare and Work Experience. Supportive services shall not be authorized for the Volunteer Community Work Component except for initial employment expenses. Earnfare and Work Experience participants may also be eligible for initial employment expenses. Supportive service costs shall not include the cost of meals away from home.

- b) The supportive services needed by an individual in Earnfare and Work Experience, which must be discussed and provided or arranged as needed, include at least the following:

1) transportation;

2) initial employment expenses; and

3) clothing allowance to enable participants to report to their Earnfare job site.

## c) Eligible Services

1) Transportation

A) Transportation expenses are to be paid to permit participation in the Work Experience and Earnfare components.

B) Transportation payments are made at the most economical rate. If the individual's own automobile is used, the established rate per mile (15¢ per mile), which includes all vehicle-related expenses, will be approved.

C) Transportation expenses are to be paid as an initial employment expense to go to and from work for 30 calendar



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days from the date employment begins.

- D) Transportation expenses are to be paid to Earnfare participants who are not in the Earnfare job search activity for specific job interviews arranged by their Earnfare employer.

- 2) Earnfare Clothing Allowance. Necessary clothing is provided to enable participants to report to their Earnfare job site. A maximum clothing allowance of \$100.00 per 12-month period can be provided.

3) Initial Employment Expenses

- A) Payment to Volunteer Community Work, Earnfare and Work Experience participants may be provided for employment expenses incurred when requested within 30 calendar days from the date employment begins. These expenses are paid based on the individual's work days during a 30 calendar day period from the date employment begins. The total amount of all initial employment expenses provided shall not exceed \$400 in a 12 consecutive month period. Payment may be made to individuals employed at least 20 hours weekly on a job that is expected to last at least 30 calendar days, or to last at least 30 calendar days and total hours of employment plus component activity equal at least 20 hours per week.

B) These expenses include:

- i) special clothing (maximum \$200);
- ii) required tools which are not provided by the employer (maximum \$200);
- iii) repairs of an automobile (maximum \$300);
- iv) auto license plate fees;
- v) auto liability insurance at the cheapest rate but not to exceed \$150 or three months coverage, whichever is less costly;
- vi) transportation expenses at the most reasonable and economical rate. If the mandatory registrant's own car is used, a gas allowance of \$3 daily or a rate of 15c per mile, whichever is less, shall be authorized;
- vii) child care;
- viii) physical examination prior to employment if required and not provided by the employer;
- ix) other required items related to a specific job (maximum \$300); and
- x) items or services purchased that will assist the individual in meeting Illinois Department of Children and Family Services' child care licensing requirements (maximum \$300). Items and services may include, but are not limited to, the purchase of fire extinguishers, smoke alarms, first aid kits and

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installation of a telephone.

- C) Initial employment expenses will not be authorized to purchase firearms, pay bail bonds or traffic tickets, or pay relocation expenses so an individual can accept employment elsewhere.

- D) Also not permitted as an initial employment expense are expenses required for the self-employment of the individual except when expenses will assist the individual in becoming an Illinois Department of Children and Family Services licensed child care provider.

(Source: Added at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## ILLINOIS RACING BOARD

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- 1) Heading of the Part: Programs
- 2) Code Citation: 11 Ill. Adm. Code 415
- 3) Section Numbers: Proposed Action:  
415.70 Amendment
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking requires each organization licensee to transmit its program information to intertrack licensees and intertrack location licensees electronically. The current rule allows the option of distributing a hard copy official program or electronic transmission of program information to intertrack wagering and intertrack wagering location licensees.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporation by reference? No
- 9) Are there any other proposed amendments pending in this Part? No
- 10) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments should be submitted, within 45 days of this notice, to:

Gina DiCaro  
Illinois Racing Board  
Legal Department  
100 West Randolph, Ste. 11-100  
Chicago, Illinois 60601  
(312) 814-5070.

- 12) Initial Regulatory Flexibility Analysis:

- A) Types of small business affected: None
- B) Reporting, bookkeeping or other procedures required for compliance:  
None
- C) Types of professional skills necessary for compliance: None

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- 13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent regulatory agendas because: This rulemaking was requested by Ogden-Fairmount, Inc. This rulemaking did not appear in a regulatory agenda.

The full text of the proposed amendment begins on the next page:



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TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY

SUBTITLE B: HORSE RACING

CHAPTER I: ILLINOIS RACING BOARD

SUBCHAPTER b: RULES APPLICABLE TO ORGANIZATION LICENSEES

PART 415  
PROGRAMS

## Section

- 415.10 Required Information
- 415.20 Supply Information for Patrons (Repealed)
- 415.30 Thoroughbred Programs
- 415.40 Harness Programs
- 415.50 Quarterhorse Programs
- 415.60 Availability of Programs
- 415.70 Distribution of Programs

**AUTHORITY:** Implementing and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

**SOURCE:** Adopted at 4 Ill. Reg. 43, effective October 20, 1980; codified at 5 Ill. Reg. 10900; emergency amendment at 7 Ill. Reg. 16201, effective November 28, 1983, for a maximum of 150 days; amended at 8 Ill. Reg. 5698, effective April 16, 1984; amended at 14 Ill. Reg. 11314, effective July 3, 1990; amended at 16 Ill. Reg. 7486, effective April 24, 1992; amended at 18 Ill. Reg. 17756, effective November 28, 1994; amended at 19 Ill. Reg. 12691, effective September 1, 1995; amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 415.70 Distribution of Programs**

Each organization licensee shall ~~distribute its~~ **official program** or provide electronic transmission of program information to all intertrack licensees and intertrack location licensees at least 24 hours before the scheduled post of the first race of its racing program.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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- 1) Heading of the Part: Cancellation, Revocation or Suspension of Licenses
  - 2) Code Citation: 92 Ill. Adm. Code 1040
  - 3) Section Numbers: 1040.50  
Proposed Action: Amendment
  - 4) Statutory Authority: Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/2-104(b)] and the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 6].
  - 5) A Complete Description of the Subjects and Issues Involved: This rulemaking is being proposed to eliminate the possibility of revoking a license of a commercial vehicle driver.
  - 6) Will this rulemaking replace any emergency rulemaking currently in effect?  
No
  - 7) Does this rulemaking contain an automatic repeal date? No
  - 8) Does this rulemaking contain incorporations by reference? No
  - 9) Are there any other proposed rulemakings pending on this Part? Yes
- | Section Numbers | Proposed Action | Illinois Register Citation         |
|-----------------|-----------------|------------------------------------|
| 1040.20         | Amendment       | 21 Ill. Reg. 5091 (April 25, 1997) |
| 1040.32         | Amendment       | 21 Ill. Reg. 3060 (March 14, 1997) |
| 1040.70         | Amendment       | 21 Ill. Reg. 4398 (April 11, 1997) |
- 10) Statement of Statewide Policy Objectives: This rulemaking will have no effect on units of local government.
  - 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: The Secretary of State will fully consider all comments received within 45 days of the date this notice is published. All comments must be in writing and should be sent to:

Mark A. Novak  
Assistant Counsel to the Secretary  
2701 S. Dirksen Parkway  
Springfield, IL 62723  
217/782-5356

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit

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corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance:  
None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: January 1997

The full text of the proposed amendment begins on the next page.

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TITLE 92: TRANSPORTATION  
CHAPTER II: SECRETARY OF STATE

## PART 1040

## CANCELLATION, REVOCATION OR SUSPENSION OF LICENSES OR PERMITS

Section	
1040.10	Court to Forward Licenses and Reports of Convictions
1040.20	Illinois Offense Table
1040.25	Suspension or Revocation for Driving Without a Valid Driver's License
1040.30	3 Or More Traffic Offenses Committed Within 12 Months
1040.31	Operating A Motor Vehicle During a Period of Suspension or Revocation
1040.32	Suspension or Revocation of Driver's Licenses, Permits or Identification Cards Used Fraudulently
1040.35	Commission of an Offense Requiring Mandatory Revocation or Discretionary Suspension or Revocation Upon Conviction
1040.38	Commission of a Traffic Offense in Another State
1040.40	Repeated Convictions or Collisions
1040.41	Suspension of Licenses for Curfew Violations
1040.42	Fleeing and Eluding
1040.43	Illegal Transportation
1040.46	Fatal Accident and Personal Injury Suspensions or Revocations
1040.48	Vehicle Emission Suspensions
1040.50	Suspension or Revocation of a License of Commercial Vehicle Driver
1040.55	Suspension or Revocation for Driver's License Classification Violations
1040.60	Release of Information Regarding a Disposition of Court Supervision
1040.65	Offenses Occurring on Military Bases
1040.66	Invalidation of a Restricted Driving Permit
1040.70	National Driver Register
1040.80	Cancellation of Driver's License Upon Issuance of a Handicapped Identification Card
1040.100	Rescissions
1040.101	Reinstatement Fees
1040.102	Bankruptcy for Suspensions, Cancellations, Failure to Pay and Returned Checks Actions

**AUTHORITY:** Implementing Articles II and VII of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 6, Arts. II and VII] and authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/2-104(b)].

**SOURCE:** Filed September 22, 1972; amended at 3 Ill. Reg. 26, p. 282, effective June 30, 1979; amended at 5 Ill. Reg. 3533, effective April 1, 1981; amended at 6 Ill. Reg. 4239, effective April 2, 1982; codified at 6 Ill. Reg. 12674; amended at 8 Ill. Reg. 2200, effective February 1, 1984; amended at 8 Ill. Reg. 3783, effective March 13, 1984; amended at 8 Ill. Reg. 18925, effective September 25, 1984; amended at 8 Ill. Reg. 23385, effective November 21, 1984;



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amended at 10 Ill. Reg. 15265, effective September 4, 1986; amended at 11 Ill. Reg. 16927, effective October 1, 1987; amended at 11 Ill. Reg. 20659, effective December 8, 1987; amended at 12 Ill. Reg. 2148, effective January 11, 1988; amended at 12 Ill. Reg. 14351, effective September 1, 1988; amended at 12 Ill. Reg. 15625, effective September 15, 1988; amended at 12 Ill. Reg. 16153, effective September 15, 1988; amended at 12 Ill. Reg. 16906, effective October 1, 1988; amended at 12 Ill. Reg. 17120, effective October 1, 1988; amended at 13 Ill. Reg. 1593, effective January 23, 1989; amended at 13 Ill. Reg. 5162, effective April 1, 1989; amended at 13 Ill. Reg. 7802, effective May 15, 1989; amended at 13 Ill. Reg. 8659, effective June 2, 1989; amended at 13 Ill. Reg. 17087, effective October 16, 1989; amended at 13 Ill. Reg. 20127, effective December 8, 1989; amended at 14 Ill. Reg. 2944, effective February 7, 1990; amended at 14 Ill. Reg. 5178, effective April 1, 1990; amended at 14 Ill. Reg. 5560, effective April 13, 1990; amended at 14 Ill. Reg. 18088, effective October 22, 1990; amended at 15 Ill. Reg. 14258, effective September 24, 1991; amended at 17 Ill. Reg. 8512, effective May 27, 1993; amended at 17 Ill. Reg. 9028, effective June 2, 1993; amended at 17 Ill. Reg. 12782, effective July 21, 1993; amended at 18 Ill. Reg. 7447, effective May 3, 1994; amended at 18 Ill. Reg. 10853, effective June 27, 1994; amended at 18 Ill. Reg. 11644, effective July 7, 1994; amended at 18 Ill. Reg. 16443, effective October 24, 1994; amended at 20 Ill. Reg. 2558, effective January 26, 1996; amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

#### Section 1040.50 Suspension or Revocation of a License of Commercial Vehicle Driver

a) For purposes of this Section, the following definitions shall apply:

"Cancellation" - the annulment or termination by formal action of the Secretary of a person's driver's license because the licensee is no longer entitled to such license in accordance with Section 1-110 of the Illinois Vehicle Code and Sections 6-201 and 6-206(c)(3) of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/1-110, 6-102 and 6-206(c)(3)].

"Commercial Vehicle" - any vehicle operated for the transportation of person or property in the furtherance of any commercial or industrial enterprise, for-hire or not-for-hire, but not including a commuter van, a vehicle used in a ridesharing arrangement when being used for that purpose, or a recreational vehicle not being used commercially.

"Disqualification" - a withdrawal of the privilege to drive a commercial motor vehicle.

"Farm Vehicle" - every motor vehicle designed and used primarily as a farm implement for drawing wagons, plows, mowing machines and other implements of husbandry, and every implement of

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husbandry which is self-propelled.

"Hearing Officer" - any person designated by the Secretary of State to preside at any hearing conducted pursuant to the rules established by the Office of the Secretary of State.

"Implement of Husbandry" - every vehicle designed and adapted exclusively for agricultural, horticultural, or livestock raising operations, including farm wagons, wagon trailers or like vehicles used in connection therewith, or for lifting or carrying an implement of husbandry, provided that no farm wagon, wagon trailer or like vehicle having a gross weight of more than 36,000 pounds shall be included hereunder.

"Restricted Driving Permit for Occupational Driving" - a restricted driving permit is that document which grants and specifies limited privileges to drivers of commercial vehicles as an occupation who have had their full driving privileges suspended. The restricted driving permit is valid only when in the immediate possession of the driver to whom it is issued.

"Revocation" - the termination by formal action of the Secretary of a person's license or privilege to operate a motor vehicle on the public highways, which termination shall not be subject to renewal or restoration except that an application for a new license may be presented and acted upon by the Secretary after the expiration of at least one year after the date of revocation.

"Secretary of State" - the Secretary of State of Illinois.

"Suspension" - the temporary withdrawal by formal action of the Secretary of a person's license or privilege to operate a motor vehicle on public highways, for a period specifically designated by the Secretary.

a) A drivers license of a person who drives a commercial vehicle in connection with his regular occupation as a driver shall not be revoked or suspended unless 5 offenses against traffic regulations governing the movement of vehicles at least 2 of which occurred while driving a commercial vehicle in connection with his regular occupation are committed within any 12 month period so as to indicate the disrespect for traffic laws and a disregard for the safety of other persons on the highways.

b) If the Secretary of State suspends the driver's license of a person and the person drives a commercial vehicle in connection with his/her regular occupation, he/she may qualify for a Restricted Driving Permit for Occupational Driving based on the following requirements:

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- 1) 18 years of age;
- 2) the individual must have been issued or have qualified for a valid Illinois driver's license prior to issuance of the Restricted Driving Permit for Occupational Driving;
- 3) no outstanding reinstatement fees or failure to pay requirements are effective on the Illinois driving record;
- 4) no effective or pending suspensions, revocations, cancellations or disqualifications on the individual's Illinois driving record;
- 5) the suspension period does not exceed 12 months;
- 6) the suspension was the result of 3, 4 or 5 offenses which were committed within a 12 month period. If 5 offenses were committed, at least two of which occurred while operating a commercial vehicle in connection with the driver's regular occupation, the driver would not qualify for a Restricted Driving Permit for Occupational Driving;
- 7) the individual's occupation must be full time, and one which involves driving a commercial vehicle on a regular basis. Part-time employment or a person renting a commercial vehicle under a short term lease shall not qualify;
- 8) the individual shall complete and sign an affidavit prescribed by the Secretary of State setting forth his/her eligibility as a driver of a commercial vehicle and such other information as required by the Secretary of State. The affidavit shall also be notarized by a Notary Public or signed by a Secretary of State Hearing Officer:
- 9) submit appropriate fee;
- 10) surrender current valid Illinois driver's license.
- c) b) Operation of the following vehicles shall not be deemed to be the operation of a commercial vehicle:
- 1) Farm vehicle; Vehicle
  - 2) Implements of husbandry;
  - 3) Road machinery temporarily on the highway;
  - 4) A farm tractor being operated between the home farm and adjacent or nearby farm.
- c) Nor shall this exemption apply to drivers whose regular occupation is one which does not involve driving on a regular basis. Nor shall it include a person who is driving a commercial vehicle as a part-time employee or only on a part-time basis; nor a person operating a commercial vehicle which is being rented under a short-term lease.
- d) If the permit holder's regular occupation changes, or if the original permit is lost or stolen, the driver is required to apply for a corrected or duplicate permit in order to continue driving. The driver must qualify by meeting the requirements outlined in subsection (b) of this Section and shall submit an affidavit verifying the lost or stolen permit in order to be issued a duplicate permit, or surrender the original permit to obtain a corrected permit.
- d) in the event that any driver eligible hereunder receives a revocation or suspension for conviction of moving violations under Section

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## NOTICE OF PROPOSED AMENDMENTS

- 6-206(a) 2 of the i-v-e, and he is eligible for the relief provided for hereunder. He shall, within 25 days after the mailing of such notice, submit an affidavit prescribed by the Secretary of State setting forth his eligibility as a driver of a commercial vehicle and such other information required by the Secretary of State.
- e) Upon receipt by this office of the 5th conviction within a 12 month period, if at least two of the convictions were issued in his/her commercial vehicle, or a 6th conviction within a 12 month period was received and the permit was still valid, an Order of Cancellation shall be entered pursuant to Section 6-206(c)(3) of the Illinois Vehicle Code [625 ILCS 5/6-206(c)(3)].
- e) If such affidavit is properly completed and filed within a prescribed period, the Secretary may grant a permit to drive a commercial vehicle only and only in connection with his regular occupation. The permit to drive shall not be limited geographically and thus may be used both within and without Illinois, nor shall it be limited to hours of operation or as to days of operation.
- f) A Restricted Driving Permit for Occupational Driving shall be cancelled if the Secretary of State receives reliable written evidence that the individual does not qualify for the permit as outlined in subsection (b) of this Section.
- g) This permit shall not apply to any driver required to obtain a commercial driver's license under Section 6-507 during the period of a disqualification of commercial driving privileges under Section 6-514 [625 ILCS 5/6-507 and 6-514].
- h) Any person who falsely states any fact in the affidavit required herein shall be guilty of perjury under Section 6-302 of the Vehicle Code and upon conviction thereof shall have all driving privileges revoked without further rights [625 ILCS 5/6-302].

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



DEPARTMENT OF STATE POLICE  
NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Illinois Uniform Conviction Information Act
- 2) Code Citation: 20 Ill. Adm. Code 1215
- 3) Section Numbers:

1215.20	Proposed Action:
1215.30	Amendment
1215.40	Amendment
1215.60	New Section
1215.70	New Section
1215.80	New Section
- 4) Statutory Authority: Implementing and authorized by Section 19 of the Illinois Uniform Conviction Information Act [20 ILCS 2635/19] and authorized by Section 55a of the Civil Administrative Code of Illinois [20 ILCS 2605/55a].
- 5) A Complete Description of the Subjects and Issues Involved: Technology is now available to process conviction information requests by automated electronic means. This amendment allows for the procedure.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect?  
No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? No

10) Statement of Statewide Policy Objectives: These amendments will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Within 45 days after the date of publication of this notice, any interested person may submit comments, data, views or argument regarding the proposed amendments. The submissions must be in writing and directed to:

Mr. James W. Redlich  
Chief Legal Counsel  
Illinois State Police  
124 East Adams Street, Room 102  
P.O. Box 19461  
Springfield, IL 62794-9461  
(217)782-7658

DEPARTMENT OF STATE POLICE  
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- 12) Initial Regulatory Flexibility Analysis:

A) <u>Types of small businesses, small municipalities and not for profit corporation affected:</u>	None
B) <u>Reporting, bookkeeping or other procedures required for compliance:</u>	None
C) <u>Types of professional skills necessary for compliance:</u>	None
- 13) Regulatory Agenda on which this rulemaking was summarized: July 1996

The full text of the Proposed Amendments begins on the next page:

## DEPARTMENT OF STATE POLICE

## NOTICE OF PROPOSED AMENDMENTS

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT  
CHAPTER II: DEPARTMENT OF STATE POLICE

## PART 1215

## ILLINOIS UNIFORM CONVICTION INFORMATION ACT

## SUBPART A: PROMULGATION

Section  
1215.10  
1215.20

Purpose  
Definitions

## SUBPART B: OPERATIONS FOR PROCESSING WRITTEN REQUESTS

Section  
1215.30  
1215.40  
1215.50

Written Request Procedures  
Response Procedures  
Fees

## SUBPART C: OPERATIONS FOR PROCESSING AUTOMATED REQUESTS

Section  
1215.60  
1215.70  
1215.80

Automated Request Procedures  
Response Procedures  
Fees

AUTHORITY: Implementing and authorized by Section 19 of the Illinois Uniform Conviction Information Act [20 ILCS 2635/19] and authorized by Section 55a of the Civil Administrative Code of Illinois [20 ILCS 2605/55a].

SOURCE: Adopted at 15 Ill. Reg. 1107, effective January 14, 1991; amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART A: PROMULGATION

## Section 1215.20 Definitions

Unless specified otherwise, all terms shall have the meaning set forth in Section 3 of the Illinois Uniform Conviction Information Act [20 ILCS 2635/3] (~~111-Rev-Stat-19897-ch-387-par-1603~~).

## SUBPART B: OPERATIONS FOR PROCESSING WRITTEN REQUESTS

## Section 1215.30 Written Request Procedures

- a) Requests for conviction information shall be made by completing a Conviction Information Request form provided by the Illinois State Police. These forms shall be made available through the Bureau of

## DEPARTMENT OF STATE POLICE

## NOTICE OF PROPOSED AMENDMENTS

Identification, 260 North Chicago Street, Joliet, Illinois 60431-1060. In order to be processed, Conviction Information Request forms shall at a minimum include a complete and accurate mailing address for the requester, the requester's signature, an indication of whether the request is for licensing or employment purposes, and the record subject's name, race, sex, and date of birth. Requests for employment or licensing purposes shall also be signed by the individual to whom the information request pertains. ~~All requests shall be accompanied by the correct fee as established in Section 1215.50 and in the form of a cashier's check or money order.~~

- b) If the request is for employment or licensing purposes, the requester shall maintain a release on file for at least two years signed by the individual to whom the information pertains. The requester shall notify the individual named in the request that the individual has the obligation and responsibility to notify the requester within seven days if the information provided is incomplete or incorrect.
- c) All requests shall be accompanied by the correct fee as established in Section 1215.50 and paid in the form of a check or money order, unless other payment arrangements are approved by the Department.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 1215.40 Response Procedures

~~Prior to disseminating conviction information, the Department shall review its in-process files to ensure that the information to be disseminated is complete. The Department shall mail responses to requests to the requester at the address indicated on the Conviction Information Request form.~~

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART C: OPERATIONS FOR PROCESSING AUTOMATED REQUESTS

## Section 1215.60 Automated Request Procedures

- a) Requests submitted in an automated format shall be made in accordance with record layout formats, software and hardware specifications, or other guidelines suitable for electronic transmission of data as prescribed by the Department.
- b) Automated Conviction Information Requests shall at a minimum include the record subject's name, race, sex and date of birth. The requester must also provide a complete and accurate mailing address for the requester in order to receive responses. The requester must sign a user's agreement to be provided by the Department.
- c) If the request is for employment or licensing purposes, the requester shall maintain a release on file for at least two years signed by the



DEPARTMENT OF STATE POLICE  
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individual to whom the information pertains. The requester shall notify the individual named in the request that the individual has the obligation and responsibility to notify the requester within seven days if the information provided is incomplete or incorrect.

- d) All requests shall be accompanied by the correct fee as established in Section 1215.80 and paid in the form of a check or money order, unless other payment arrangements are approved by the Department.

(Source: Added at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 1215.70 Response Procedures

The Department shall forward responses to the requester at the address provided by the requester.

(Source: Added at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 1215.80 Fees

The fee for processing requests for conviction information shall be set by the Director. The fee shall not exceed the general costs for processing such requests. The general costs shall include, but are not limited to, personnel, supervision and training, telephone, electric, equipment, printing, postage, facilities, forms, software, and miscellaneous related costs.

(Source: Added at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

DEPARTMENT OF STATE POLICE  
NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Sample Collection for Genetic Marker Indexing
- 2) Code Citation: 20 Ill. Adm. Code 1285
- 3) Section Numbers: 128.20  
128.80 Proposed Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Section 5-4-3 of the Unified Code of Corrections [730 ILCS 5/5-4-3] and authorized by Section 55a of the Civil Administrative Code of Illinois [20 ILCS 2605/55a].
- 5) A Complete Description of the Subjects and Issues Involved: This amendment ensures Illinois State Police procedures are consistent with the national guidelines relating to genetic marker data management in the context of the CODIS program.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect?  
NO
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? No
- 10) Statement of Statewide Policy Objectives: These proposed amendments will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Within 45 days after the date of publication of this notice, any interested person may submit comments, data, views or arguments regarding the proposed amendments. The submissions must be in writing and directed to:

Mr. James W. Redlich  
Chief Legal Counsel  
Illinois State Police  
124 East Adams Street, Room 102  
P.O. Box 19461  
Springfield, IL 62794-9461  
(217) 782-7658

- 12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit

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corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance:  
None

C) Types of professional skills necessary for compliance: None

13 Regulatory Agenda on which this rulemaking was summarized: July 1996

The full text fo Proposed Amendments begins on the next page:

DEPARTMENT OF STATE POLICE  
NOTICE OF PROPOSED AMENDMENT

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT  
CHAPTER II: DEPARTMENT OF STATE POLICE

PART 1285  
SAMPLE COLLECTION FOR GENETIC MARKER INDEXING

SUBPART A: PROMULGATION

Section  
1285.10 Purpose  
1285.20 Definitions

SUBPART B: OPERATIONS

Section  
1285.30 Responsibilities  
1285.40 Voluntary Samples  
1285.50 Procedures for Collection  
1285.60 Privacy Protection  
1285.70 Expungement of Records  
1285.80 Non-participation

AUTHORITY: Implementing and authorized by Section 5-4-3 of the Unified Code of Corrections [730 ILCS 5/5-4-3] and authorized by Section 55a of the Civil Administrative Code of Illinois [20 ILCS 2605/55a].

SOURCE: Adopted at 16 Ill. Reg. 12595, effective July 23, 1992; amended at 17 Ill. Reg. 22571, effective December 15, 1993; amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

SUBPART A: PROMULGATION

Section 1285.20 Definitions

Unless specified otherwise, all terms shall have the meaning set forth in Section 5-4-3 of the Unified Code of Corrections (~~111-Rev-Stat-19917-ch-38-par-105-4-3~~ [730 ILCS 5/5-4-3]). For purpose of the Part, the following additional definitions apply:

"Act" means the Unified Code of Corrections (~~111-Rev-Stat-19917-ch-38-par-105-4-3~~ ~~et-seq~~) [730 ILCS 5].

"CODIS" means the Combined DNA Index System.

"Department" means the Illinois Department of State Police.

"Designated Agency" means the entity designated by these rules to be responsible for the collection of blood specimens.



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"FBI" means the Federal Bureau of Investigation.

"Kit" means the Genetic Marker Indexing Kit provided by the Department.

Qualifying offender" means any person described at Section 5-4-3(a) of the Act.

"Sample" means specimens of blood collected from a qualifying offender.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART B: OPERATIONS

## Section 1285.80 Non-participation

a) Results of genetic marker grouping analysis and access to the State genetic marker database information may be denied to any agency which fails to comply with these Rules.

b) Access to the State genetic marker database shall be denied to those forensic laboratories which do not comply with the DNA Index Data Acceptance Guidelines formulated by the Department in accordance with the FBI Standard for CODIS Acceptance of DNA Data.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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1) Heading of the Part: Prequalification of Contractors and Issuance of Plans and Proposals

2) Code Citation: 44 Ill. Adm. Code 650

<u>Section Numbers:</u>	<u>Proposed Action:</u>
650.20	Amend
650.30	Amend
650.80	Amend
650.110	Amend
650.130	Amend
650.170	Amend
650.180	Amend
650.190	Amend
650.200	Amend
650.240	Amend
650.260	Amend
650.280	Amend
650.310	Amend
650.320	Amend
650.330	Amend
650.340	Amend
650.350	Amend
650.Appendix A	Amend

4) Statutory Authority: Implementing Section 6 of the Illinois Purchasing Act [30 ILCS 505/6] and Section 4-103 of the Illinois Highway Code [605 ILCS 5/4-103] and authorized by Section 4-201.1 of the Illinois Highway Code [605 ILCS 5/4-201.1] and Section 5.2 of the Illinois Purchasing Act [30 ILCS 505/5.2].

5) A complete description of the subjects and issues involved: By this rulemaking, the Department is proposing to amend Part 650 to, among other things, provide clarification of current Department policy regarding the determination of financial ratings and the authorization of Joint Ventures; to add a subsection regarding the issuance of Authorization to Bid without restriction, including the standards the applicant must meet in order to obtain an Authorization to Bid without restriction; to add a work category regarding erosion control pursuant to the Federal Highway Administration's and the Corps of Engineers' requirements for more stringent standards of erosion control; to revise the financial rating available to an applicant in an unaudited status; and, finally, to provide clarification of work categories contained in Appendix A of this Part and metrification formulas for the calculation of a work rating.

6) Will this proposed rulemaking replace an emergency rule currently in effect? No

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- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: Local governments are not required to establish, expand or modify their activities in response to this rulemaking.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Any interested party may submit written comments or arguments concerning this proposed rule. Written submissions shall be filed with:

Mr. Gary Gould, Bureau Chief  
Bureau of Construction  
Illinois Department of Transportation  
Division of Highways  
2300 South Dirksen Parkway, Room 322  
Springfield IL 62764  
217/782-6667

JCAR requests, comments and concerns regarding this rulemaking should be addressed to:

Christine Caronna-Beard, Rules Manager  
Illinois Department of Transportation  
2300 South Dirksen Parkway, Room 300  
Springfield IL 62764  
217/782-3215

Comments received within 45 days after the date of publication of this Illinois Register will be considered. Comments received after that time will be considered, time permitting.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses affected: This Part does not regulate the activity of small businesses. However, those small businesses who desire prequalification must comply with this Part.

B) Reporting, bookkeeping or other procedures required for compliance: This Part does not regulate small businesses and thus does not establish compliance requirements; however, this Part does require audited financial statements in order to obtain a financial rating of greater than \$500,000.

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C) Types of professional skills necessary for compliance: To obtain a financial rating of greater than \$500,000, the applicant must file an audited financial statement prepared by a Certified Public Accountant.

13) Regulatory Agenda on which this rulemaking was summarized: January 1997

The full text of the Proposed Amendments begins on the next page:



## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

**TITLE 44: GOVERNMENT CONTRACTS, PROCUREMENT AND PROPERTY MANAGEMENT**  
**SUBTITLE B: SUPPLEMENTAL PROCUREMENT RULES**  
**CHAPTER IX: DEPARTMENT OF TRANSPORTATION**

## PART 650

**PREQUALIFICATION OF CONTRACTORS AND**  
**ISSUANCE OF PLANS AND PROPOSALS**

## SUBPART A: PREQUALIFICATION

Section	
650.10	Purpose
650.20	Definitions
650.30	Introduction to Prequalification
650.40	Application Requirements
650.50	Time for Submission
650.60	Public Disclosure of Contractor Information
650.70	Waiver of Prequalification
650.80	Issuance and Effect of Ratings
650.90	Effective Date of Ratings
650.100	Expiration Date of Ratings
650.110	Denial or Revocation of Ratings
650.120	Extension of Ratings
650.130	Revisions to Prequalification Ratings
650.140	Transfer of Prequalification Ratings
650.150	Reconsideration and Appeal
650.160	Financial Rating - General
650.170	Financial Statement
650.180	Balance Sheet Schedules
650.190	Other Factors Considered in Determining Financial Ratings
650.200	Methods of Improving a Financial Rating
650.210	Computation of Financial Rating
650.220	Work Rating - General
650.230	Determination of Work Ratings
650.240	Performance Factor
650.250	Experience Factor (EF)
650.260	Equipment Factor (EqF)
650.270	Capacity to Perform (CP)
650.280	Calculation of Work Ratings
SUBPART B: ISSUANCE OF PLANS AND PROPOSALS	
Section	
650.290	Advertising for Bids
650.300	Request for Proposal Forms and Plans; Authorization to Bid
650.310	Affidavit of Availability
650.320	Analyzing Requests for Authorization to Bid
650.330	Issuance of Authorization to Bid

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650.340 Joint Ventures  
650.350 Denial of Authorization to Bid

APPENDIX A Available Work Categories ~~AVAILABLE WORK CATEGORIES~~

APPENDIX B Request for Extension of Prequalification Ratings ~~REQUEST FOR~~  
~~EXTENSION OF PREQUALIFICATION RATINGS~~

APPENDIX C Financial Pledge Letters ~~FINANCIAL PLEDGE LETTERS~~

APPENDIX D Financial Verification Letter ~~FINANCIAL VERIFICATION LETTER~~

APPENDIX E Corporate Resolution ~~CORPORATE RESOLUTION~~

**AUTHORITY:** Implementing Section 6 of the Illinois Purchasing Act [30 ILCS 505/6] and Section 4-103 of the Illinois Highway Code [605 ILCS 5/4-103] and authorized by Section 4-201.1 of the Illinois Highway Code [605 ILCS 5/4-201.1] and Section 5.2 of the Illinois Purchasing Act [30 ILCS 505/5.2].

**SOURCE:** Adopted at 18 Ill. Reg. 9478, effective July 2, 1994; amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART A: PREQUALIFICATION

## Section 650.20 Definitions

"Act" - The Illinois Purchasing Act (~~1117-Rev-Stat-1991-CH-127~~  
~~par-132-1-et-seq-1~~ [30 ILCS 505]).

"Affidavit of Availability" - A sworn affidavit indicating all work under contract, pending awards, all subcontracts and value of subcontracts.

"Affiliate" - A member of a group of two or more companies related to one another through common ownership.

"Applicant" - Any prospective contractor who has applied for prequalification in compliance with the procedures delineated in this Part.

"Application for Prequalification" - A package of forms titled "Contractor's Statement of Experience and Financial Condition" (Form BC-8) required to be submitted by an applicant in support of its request for a prequalification rating.

"Authorization to Bid" - The permission given to a contractor to submit a bid on a given Department letting item and the permission to have that bid read.

"Available Bidding Capacity" - The applicable available work ratings and the available financial rating.

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"Available Financial Rating" - Financial rating as indicated on the Certificate of Eligibility less the total value of all uncompleted work to be done with the applicant's own forces and work subcontracted to others.

"Available Work Rating" - The work rating in a particular category as indicated on the Certificate of Eligibility less all similar uncompleted work to be done with the applicant's own forces (for a listing of available work categories, see Section 650. Appendix A).

"Certificate of Appraiser" - The certification by an appraiser that the appraisal is performed with no direct or indirect interest, financial or otherwise, in the business of the applicant.

"Certificate of Eligibility" - A certificate issued to the applicant by the Department indicating the applicant's financial rating, work ratings and the effective period of prequalification.

"Combined Financial Statement" - The accounting data of affiliated companies combined to form a single economic entity.

"Consolidated Financial Statement" - The accounting data of parent and subsidiary companies combined to form a single economic entity.

"Contract" - The written agreement between the Department and the contractor setting forth the obligations of the parties thereunder, including, but not limited to, the performance of the work, the furnishing of labor and materials, and the basis of payment. The contract consists of the invitation for bids, the proposal, the letter of award, the contract form and contract bond, any specifications and supplemental specifications, any special provisions, any general and detailed plans, and all agreements that are required to complete the construction of the work, including contract time - all of which constitute one instrument.

"Contractor" - The individual, partnership, or corporation contracting with the Department for performance of prescribed work. An applicant which has been issued a Certificate of Eligibility.

"Department" - The Illinois Department of Transportation.

"Department of Human Rights Identification Number" - A number assigned to an applicant who has prequalified with the Department of Human Rights.

"Director" - The Director of the Division of Highways or the Director's designee.

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"District Engineer" - The engineer in charge of one of the nine districts of the Department in which the work of a contract is located.

"Engineer of Construction" - The individual responsible for directing the development of the Department's highway construction policies which assure uniform practices, interpretation and applications in Illinois.

"Financial Rating" - The measured ability of an applicant to sustain adequate cash flow for the duration of an awarded contract based on the submitted application for prequalification.

"Financial Statement" - A complete report of the applicant's financial status set forth on a balance sheet displaying the applicant's assets, liabilities and net worth.

"Joint Venture" - Two or three contractors combining their available financial and work ratings for the purpose of bidding a construction project.

"Letter of Subordination" - A signed statement from a stockholder, officer, director, employee, parent, subsidiary or affiliate agreeing not to withdraw a specific amount of money loaned to the applicant during the period of prequalification.

"Net Worth" - Total assets minus total liabilities.

"Official Newspaper" - The one designated as such by the Department of Central Management Services.

"Parent" - A corporation that owns more than half of the stock of another corporation.

"Prequalification" - The rating process established by the Department which requires all prospective bidders to obtain a Certificate of Eligibility prior to being considered for issuance of bidding proposal forms and plans for any contract awarded by the Department, as well as contracts awarded by local agencies requiring approval of award by the Department.

"Prequalification Section" - The section within the Bureau of Construction of the Department responsible for determining financial ratings, work ratings, and the issuance of bidding proposals.

"Request for Proposal Forms and Plans and Request for Authorization to Bid" - A form provided by the Department to assist a contractor in making a formal request for plans and proposal forms, and subsequent

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authorization to bid on one or all of the proposals requested.

"Responsibility" - The capability in all respects to perform fully the requirements of an awarded contract, and the integrity and reliability that will assure good faith performance.

"Service Bulletin" - The public document which is the official publication and invitation issued by the Department for bids on construction projects.

"Specialty Items" - Items that are designated in the contract documents that are considered to require specialized construction techniques that are not ordinarily available in contracting organizations qualified to bid.

"Standard Specifications" - A Department publication entitled "Standard Specifications for Road and Bridge Construction" that sets forth the contract provisions for road and bridge construction.

"Subsidiary" - A corporation having more than half of its stock owned by another corporation.

"Unlimited Rating" - A financial rating in excess of \$75 million or a work rating in excess of \$25 million.

"Working Capital" - Current assets less applied discounts and current liabilities.

"Work Rating" - The dollar value of work of a particular category of construction that an applicant can perform with his/her organization and equipment in one construction season.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 650.30 Introduction to Prequalification

- a) As required by this Part, each bidder shall be prequalified prior to being considered for issuance of an Authorization to Bid on contracts advertised by the Department.
- b) Except as otherwise provided in Section 650.70 of this Part, in order to become prequalified, an applicant shall submit an application for prequalification using forms furnished by the Department.
- c) Upon receipt of a completed application, the Prequalification Section evaluates the information and calculates a prequalification rating for the applicant.
- d) The prequalification rating is a combination of two subratings: the financial rating and the work rating. The policies and procedures

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used by the Prequalification Section to determine these two subratings are delineated in this Subpart.

- e) After the Prequalification Section determines the applicant's prequalification ratings, the applicant is issued a Certificate of Eligibility. This certificate permits the applicant, now a prequalified contractor, to make application for Authorization to Bid on contracts within the contractor's available bidding capacity in accordance with Subpart B of this Part.

- f) Pursuant to the Act, an applicant must also be prequalified or submit evidence of application with the Illinois Department of Human Rights (IDHR) prior to obtaining bidding proposal forms and plans for contracts which are subject to the competitive bidding requirements of the Act. Information and forms concerning the rules of IDHR may be obtained from:

Illinois Department of Human Rights  
Public Contracts Division  
100 West Randolph - Suite 10-100  
Chicago, Illinois 60601  
(312) 793-2431

- g) Pursuant to Section 13.05 of the Business Corporation Act of 1983 (~~111-Rev-Stat-1991--ch-327--par-19-05~~) [805 ILCS 5/13.05], out-of-state contractors are required to secure a certificate from the Illinois Secretary of State authorizing them to do business in Illinois. The certificate must be obtained prior to the execution of a contract. Application forms can be obtained from:

Illinois Secretary of State  
Corporation Division  
Centennial Building  
4th Floor  
Springfield, Illinois 62756  
(217) 782-1834

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 650.80 Issuance and Effect of Ratings

- a) Once the Prequalification Section has completed its analysis of all information relevant to the determination of ratings and has established the ratings of the applicant, a Certificate of Eligibility will be issued to the applicant. A copy of the Certificate of Eligibility will be provided to requesting units of local government. The Certificate of Eligibility permits the prequalified contractor to make application for Authorization to Bid on ~~bidding-proposal-forms~~ ~~and-plans-for~~ contracts in accordance with the procedures of Subpart B of this Part. The Certificate of Eligibility may be used by units of local government as evidence of contractor eligibility to bid on contracts advertised and awarded by the units of local government with





## DEPARTMENT OF TRANSPORTATION

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- D) Book or appraised value; and  
 E) Financial transaction (i.e., cash purchase or how financed).
- 4) ~~Reduction-of-any-subordinated-long-term-notes-or-accounts payable-~~  
 4)5) Reduction of any long term notes before their due date.  
 5)6) The contractor incurs unanticipated stock repurchases within the period of one year after the date of the financial statement.  
 6)7) Contingent liabilities which are paid within one year of the financial statement.  
 7)8) Payment of the cash surrender value of life insurance.  
 8)9) The contractor incurs a judgment against it due to a lawsuit.  
 9)10) The contractor defaults on a loan agreement which is encumbered or pledged by current or fixed assets of the firm.  
 10)11) The contractor defaults on a contract not awarded or approved for award by the Department.  
 11)12) The contractor has experienced an event which has a present or future financial impact or reduction in working capital during the prequalification period. Subsequent events which represent a present or possible future reduction in working capital during the prequalification period will be reviewed and the Department will issue new ratings if the reduction in working capital exceeds 30 percent. The Department may request verification from the CPA when applicable.
- b) Revision to a work rating may be necessary during the period it is in effect for events or reasons including but not limited to those listed in this subsection (b). The Department may require the contractor to provide additional information or verification of information affecting a work rating at any time it considers such actions to be warranted. Failure to provide requested information will result in revocation pursuant to Section 650.110 of this Part. The Department shall be notified if any of the following occur:
- 1) Departure of key staff;
  - 2) Sale of equipment required to maintain the work rating; or
  - 3) Cancellation of an equipment lease or rental required to maintain the work rating.
- c) No revision of a prequalification rating requested by a contractor will be effective for a particular letting unless a revised application for prequalification or other supplemental information pertaining to changes is received within the time specified by Section 650.50 of this Part.
- d) Revision of a prequalification rating initiated by the Department shall be effective when issued.
- e) A revision involving the name, phone number or address of a contractor will not affect prequalification ratings. However, the Department should be notified of these changes as soon as they occur.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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## Section 650.170 Financial Statement

An applicant may obtain a financial rating in either an audited or unaudited status. Audited financial information provides the Prequalification Section with reliable information, whereas unaudited financial information is subject to certain restrictions as provided for in subsection (c) of this Section.

## a) Audited Status

The Department will require all applicants seeking an audited status to adhere to the following:

- 1) An applicant shall submit the Department's "Certificate of Accountant" with the completed financial statement. An Independent Auditor's Opinion Letter is acceptable in lieu of the Certificate of Accountant, if the applicant desires to submit only the balance sheet, and auditor's notes, and an income statement.
  - 2) All data shall be secured from an audit conducted no more than twelve months prior to the time the financial statement is received by the Department.
  - 3) Financial statements which are only compiled or reviewed by a CPA are not accepted for prequalification in an audited status.
  - 4) The audit of the applicant's records shall be conducted in accordance with the current accounting principles approved by the American Institute of Certified Public Accountants (AICPA) as published in "Statement of Auditing Standards No. 46--Omnibus Statement on Auditing Standards," AICPA, January, 1989.
  - 5) The financial statement shall be prepared by a Certified Public Accountant (CPA) who has been licensed by the Illinois Department of Professional Regulation or an out-of-state CPA who has been issued a license by that state. A financial statement will be considered unaudited if prepared by a non-licensed CPA.
  - 6) No certified financial statement will be accepted which has been prepared by an accountant who has a direct or indirect interest, financial or otherwise, in the business of the applicant submitting the statement.
  - 7) The applicant shall submit a report prepared by the CPA who conducted the audit if the Department's Certificate of Accountant is not submitted. The report shall contain the following information:
    - A) name, address, and telephone number of the accounting firm involved with the audit;
    - B) the license number, state of license, expiration date of license and signature of the CPA conducting the audit;
    - C) the date of audit;
    - D) the degree of responsibility assumed by the CPA; and
    - E) the accountant's opinion (see subsection (b) of this Section).
- b) Opinion of Certified Accountant  
 An accountant's opinion is a report that either contains an expression

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of opinion regarding the financial statements, taken as a whole, or an assertion to the effect that an overall opinion cannot be expressed. When the latter occurs, the CPA should state the reasons. There are several types of opinions a CPA can issue:

- 1) **Unqualified opinion** - an opinion which contains no exceptions or **subjections** and conveys the CPA's belief that the financial statement presents a fair and accurate statement of the applicant's financial position. An unqualified opinion is the most desirable because it allows the applicant to obtain audited status. Additionally, the unqualified opinion enables the Department to accept the applicant's financial statement with the confidence that the audit was conducted in accordance with generally accepted auditing standards; that the CPA acquired all the information necessary to render an informed opinion; and, that the same accounting principles were used as those used in the preceding year.

- 2) **Qualified opinion** - an opinion which contains an exception or **subjection**. An exception indicates that the CPA is not in agreement with a certain accounting principle, while a **subjection** indicates that accounting principles were circumvented due to an uncontrollable circumstance, such as pending litigation. When a qualified opinion is in order, the CPA shall express the reason(s) for the qualification, the approximate amount involved, and the overall effect on the financial statement. Depending on the impact of these three factors, the Department may or may not accept the opinion for prequalification purposes. If the Department chooses not to accept the opinion, the applicant's financial statement will preclude prequalification in an audited status.

- 3) **Adverse opinion** - an opinion expressing the CPA's belief that the applicant's financial statement does not present a fair and accurate statement of the applicant's financial position and any resulting exceptions are so material that the CPA cannot justify issuing a qualified opinion. Pursuant to the rendering of an adverse opinion, the CPA shall disclose all substantive reasons for issuing such an opinion in his report. The Department shall view the applicant's financial statement as unaudited, thereby precluding prequalification in an audited status.

- 4) **Disclaimer of opinion** - a report used when a CPA believes an opinion cannot be expressed. Pursuant to the rendering of a disclaimer, the CPA shall present the reasons for refusing to express an opinion, such as client imposed restrictions. The Department shall view the applicant's financial statement as precluding prequalification in an audited status.

c) **Unaudited Status**

The Department will require all applicants seeking an unaudited status to adhere to the following:

- 1) The unaudited status is subject to the following limitations:

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- A) the applicant's financial rating shall be limited to no more than \$500,000 \$350,000.
- B) the applicant shall not have been awarded more than \$600,000 in transportation contracts, including Local Agency Motor Fuel Tax contracts, during any twelve month period. If this condition occurs subsequent to the issuance of a Certificate of Eligibility, the prequalification ratings will automatically expire.

- 2) The financial statement shall be prepared by either the applicant or an accountant. It is not necessary that the statement be prepared and certified by a licensed accountant. The financial statement:

- A) must be prepared from data secured from the applicant's records;
- B) must not be more than twelve months old at the time of receipt by the Department;
- C) must be completed and in balance; and
- D) the financial information release must be completed and submitted by the applicant's financial institution to verify account balances.

d) **Interest in Other Contracting Firms**

- 1) If an individual, a member of a partnership, or an officer or director of a corporation is interested financially in more than one company, the accountant shall submit a letter explaining such interest, the extent of the investment, and the individual's relationship with such companies. The same shall apply to employees who have pledged assets to the prequalified firm. The Department may require these individuals to furnish financial statements from these companies as of the same date as the financial statement submitted by the applicant requesting prequalification.

- 2) Each applicant shall disclose, in the application for prequalification, the name of each individual having a beneficial interest of 7 1/2 percent or more in the firm seeking prequalification. If the company is a corporation, the name of all the officers and directors and their respective positions shall be disclosed.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 650.180 Balance Sheet Schedules**

In order to provide for the determination of ratings in as objective a manner as possible, the Department has established specific evaluations and classifications for a number of financial rating items. The value attached to the affected financial rating items shall be calculated by decreasing its face value by the discount established in this Part for that item. Where a



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valuation or classification materially affects an applicant's financial rating, and insufficient information has been submitted, the Department may ask for clarification or substantiation of a classification made by the accountant in preparing the statement. If schedules in the format established in the "Contractor's Statement of Experience and Financial Condition" are not completed, the maximum discounts will be applied. The various financial rating items and their corresponding discounts are delineated as follows:

## a) Current Assets

## 1) Schedule A - Cash

Cash includes currency, personal checks, bank drafts, money orders, cashiers checks and money on deposit with banks. The Department classifies cash as a current asset and attaches no discount, provided:

- A) Deposits made for a sole proprietorship are held in the name of either the proprietor solely, or jointly with the proprietor's spouse.
- B) Deposits made for a partnership are held either in the name of any of the general partners, or in the name of the partnership.
- C) Deposits made for a corporation are held in the name of the corporation only.
- D) Deposits are free of debt or obligation. Certificates of deposits and other cash assets that are pledged will be discounted by the amount of debt or obligation.
- E) For a firm in an unaudited status, a financial release must be submitted by the firm's bank to verify balances as of the balance sheet date.

## 2) Schedule B - Notes Receivable

Notes receivable will be evaluated and classified as follows:

- |  | Discount |
|--|----------|
| A) Secured notes receivable due within one year  | 0%       |
| B) Unsecured notes receivable  | 100%     |
| C) Any note receivable, or portion thereof, which will not be due and payable or is not expected to be collected within one year from the statement date | 100%     |
| D) Notes receivable from stockholders, officers, directors, employees, parent, subsidiaries and affiliates   | 100%     |

## 3) Schedule C - Certified and Cashier's Checks on Deposit

Deposits which may be included are those which are expected to be refunded within the current period or upon request of the depositor. An example is a deposit for a proposal guarantee. Purchase deposits on real estate and equipment will be included in determining the value of those fixed assets. All other

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- deposits will be discounted 100 percent.
- 4) Schedule D - Accounts Receivable - Contracts
- Accounts receivable from federal and State agencies for all contracts, and from local agencies for transportation contracts are considered as current assets regardless of the contract completion date. If the applicant has completed work not covered by current pay estimates and an item for such work is shown, the accountant shall obtain evidence in writing from the parties for whom the work was performed to justify such an item. Accounts receivable shall be evaluated as follows:

- |  | Discount |
|--|----------|
| A) From federal and State agency contracts and local agency transportation contracts.                | 0%       |
| B) From contractors on federal and State agency contracts and local agency transportation contracts. | 0%       |
- (Note: The receivables in subsections (a)(4)(A) and (B) above must be clearly denoted on Schedule D in order to escape discount.)
- |  |      |
|--|------|
| C) From other contracts or entities.             | 10%  |
| D) Work completed but unbilled (other entities). | 10%  |
| E) Over one year old (other entities).           | 100% |

## 5) Schedule E - her Accounts Receivable

- A) Any other account receivable, such as claims for tax refunds, will be carefully considered to determine whether it constitutes an authentic receivable and is collectible within one year.

- B) Other accounts receivable shall be evaluated as follows:

- |  | Discount |
|--|----------|
| i) Accounts receivable offset by accounts payable.   | 0%       |
| ii) Income tax refunds.  | 0%       |
| iii) Judgements and insurance claims receivable.   | 100%     |
| iv) Accounts receivable over one year old.   | 100%     |
| v) Accounts receivable from stockholders, officers, directors and employees.   | 100%     |
| vi) Accounts receivable from parent, subsidiaries and affiliates. (See the exception to this discount in subsection (a)(5)(B)(vii) of this Section.) | 100%     |
| vii) Accounts receivable from prequalified   | 0%       |

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parent subsidiaries and affiliates whose financial statement date corresponds to the prequalifying company and whose financial statement of the same date shows a corresponding accounts payable.

C) Total discounts for accounts receivable will be offset by any allowance established for bad debt except in cases which involve 100% discounts.

D) In determining whether the status of a receivable is current, reference will be made to the previous statements submitted by the applicant. The appearance of an item on two or more successive statements indicates that the receivable is not current and perhaps uncollectible. Therefore, the receivable will be considered noncurrent.

## 6) Schedule F - Stocks and Bonds

A) In listing stocks, bonds, investments, etc., in Schedule F, the accountant shall show as separate items the applicant's investments in other contracting firms.

B) Stocks, bonds and other investments are evaluated and classified as follows:

	Discount
i) Municipal, State and U.S. Bonds (cash surrender value)	0%
ii) U.S. Treasury Bills (cash surrender value)	0%
iii) Repurchase agreements	0%
iv) Annuities and Individual Retirement Accounts	10%
v) Stocks, bonds and investments, including commercial paper (book value shown on balance sheet)	25%
vi) Special Assessment vouchers - tax (market value shown on balance sheet)	33 1/3%
vii) Anticipation warrants	25%
viii) Stocks of parent, subsidiaries, affiliates, etc., which are themselves prequalified	100%
ix) Nonmarketable equities - defined as equities not readily available for public sale	100%
x) Stock in civic organizations or social clubs (i.e., country club, co-op stock, etc.)	100%
xi) Artwork and collections	100%
xii) Investments in joint ventures	25%
xiii) Investments in nonprequalified	

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affiliated companies	25%
xiii) Deferred tax asset	33 1/3%
xiv) Personal effects (sole proprietor)	100%

## 7) Schedule G - Material in Stock

A) Inventories are evaluated and classified as follows:

i) Verified value of material in stock for current contracts except sod and growing nursery stock	Discount 0%
ii) Verified value of other material in stock	10%
iii) Verified book or appraised value of sod and growing nursery stock	50%

B) In completing Schedule G, the accountant shall exclude the value of any material for which a material allowance has been paid.

8) Schedule H - Cash Surrender Value of Life Insurance  
Cash surrender value, not face value, of life insurance is considered a current asset provided the amount of any policy loan is considered as a current liability.

9) Schedule I - Prepaid Items  
All prepaid items will be discounted 100%.

10) Schedule J - Relation of Billings and Costs  
A) This schedule is established for the convenience of those contractors that report income for Federal tax purposes on the cash method (completed contract), but who prepare financial statements on the accrual method (percentage of completion).

B) Where the applicant classifies his billings in excess of costs as a fixed or other liability, the Department shall reclassify it as a current liability.

C) The discount applied to billings and costs by the Department is as follows:

Costs in excess of billings (current assets)	Discount 10%
--	--------------

## b) Fixed Assets

1) Schedule K - Real Estate

A) No consideration is given if title-held land and improvements are not verified by the certified public accountant for audited financial statements.

B) The allowance for real estate is the value of title-held land and improvements less long term encumbrances from

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commercial lending institutions times a factor of 50 percent.

C) The value may be based on an accredited real estate appraisal which is not more than 24 months old at the time of receipt by the Department. The appraiser's background, experience and references must be submitted. The information on the appraiser is not required if a tax assessment value is provided. The firm must request the use of the appraisal and note any deletions or additions (with corresponding values) since the appraisal date.

D) An applicant shall submit the Department's Certificate of Appraiser.

E) If an appraisal is not submitted or accepted, the allowance will be based on book value.

F) If the net appraised or book value is less than long term encumbrances, no reclassification of excess encumbrance will be made to current liabilities if current year's payments are provided for in current liabilities.

G) No allowances are given for oil leases, leasehold improvements, mineral leases or land lease prepayments.

2) Equipment

A) In the case of audited financial statements, the accountant shall verify the correctness of the equipment schedule. All equipment which is still serviceable, even though fully depreciated, shall be included and listed by classification such as graders, scrapers, front-end loaders, bulldozers, cranes, etc.

B) The allowance for equipment is the value of owned construction equipment, including purchase deposits and capital leases, less long term encumbrances to commercial lending institutions times a factor of 70 percent. No value will be given for operating leases or rental equipment.

C) The value may be based on an accredited equipment appraisal (physical inspection) that is not more than 24 months old at the time of receipt by the Department. The appraiser's background, experience and references shall be submitted. The firm must request the use of the appraisal and note any deletions or additions (with corresponding values) since the appraisal date.

D) An applicant shall submit the Department's Certificate of Appraiser.

E) If an appraisal is not submitted or accepted, the allowance will be based on book value.

F) The accountant may restate any accelerated depreciated value to straight-line depreciation for determining book value.

G) If the net appraised or book value is less than long term encumbrances, no reclassification of excess encumbrance will be made to current liabilities if current year's payments

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are provided for in current liabilities.

c) Schedule L - Other Current or Fixed Assets  
If an applicant lists other assets not described in this Part, they shall be described in sufficient detail to be considered. Allowances for this category include, but are not limited to, the following:

1) Nonconstruction equipment (classify to equipment)	Discount 0%
2) Accrued interest and dividends with adequate detail	0%
3) Grain and livestock (classify to inventory)	25%
4) Interest and dividends from stockholders, officers, directors, employees, parent, subsidiaries and affiliates	100%
5) Organization expense/goodwill	100%
6) Investment credit	100%

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 650.190 Other Factors Considered in Determining Financial Ratings

a) Notes and Accounts

1) Long term notes and accounts payable to stockholders, officers, directors, employees, parent, subsidiaries and affiliates will not be considered a liability if subordinated. A subordination is not permitted if it takes place more than one year from the date of the financial statement. Long term notes which are not subordinated will be considered as current liabilities. Subordinations which are not honored will not be considered on subsequent financial statements.

2) Long term notes (which are in the company's name) payable to banks or other financial institutions when secured by the personal assets of the owners, officers or directors will be considered as additional working capital if properly subordinated. If not subordinated, they will be considered as liabilities against current assets.

3) Notes payable due within one year from the financial statement date are considered current liabilities. Installments on notes due beyond one year are considered deferred liabilities

4) When notes payable are secured by all assets or current assets of a firm, the amount of the loan is deducted from the value of fixed assets (against equipment first, then real estate) in determining the financial rating. No excess of encumbrance will be charged against working capital. When notes payable are unsecured, there will be no deductions from the value of fixed



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- assets.
- 5) The reduction of long term notes before their due date will cause a reduction in the computed financial rating. In the event of long term debt reduction, the contractor shall furnish in writing the details of the transaction. This information shall be verified by a certified public accountant for those contractor's who have an audited status.
  - 6) Any long term unsecured notes payable shall be accompanied by a signed statement from the lending agency and the contractor indicating that a decrease in the unsecured borrowing shall be reported to the Department immediately. In addition, the contractor shall provide a copy of the loan agreement which shall disclose the date of the loan, the termination date, the terms of payment, a statement that the loan is free of conditions and whether it is interest or noninterest bearing. Any unsecured note payable not accompanied by such a statement and loan agreement shall be considered a current liability for prequalification rating purposes.

## b) Income Taxes

The Department shall utilize the maximum corporate tax rate as stipulated by the Internal Revenue Code to reclassify deferred taxes as a current liability. This situation occurs when an applicant reports its income to the Internal Revenue Service on the cash or completed contract method, but submits such to the Department on the accrual method, thus deferring 100 percent of any income taxes due on its receivables.

## c) Dividends

Where dividends of the applicant, declared or proposed, have neither been paid nor included as a current liability in the submitted application for prequalification, the Department shall establish reserve distributions equal to the unpaid portion.

## d) Treasury Stock

If debentures have been issued, or, if long term obligations have been assumed by an applicant for repurchase of treasury stock, the Department will not consider the long term portion of these obligations as long as the applicant has provided for repayment of any current portion.

## e) Affiliated Companies

1) A consolidated financial statement from the parent organization may be used to prequalify a single subsidiary company. A Certified Assumption and Guarantor Agreement must be submitted with the financial statement. The single subsidiary company is permitted to transfer its financial rating to companies included in the consolidated financial statement who desire to become prequalified.

2) The Department may request a consolidated or consolidating financial statement from the parent organization of a subsidiary or affiliate requesting prequalification. The Department will

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deny credit for assets of a subsidiary or an affiliate which are unduly burdened or otherwise heavily encumbered, and which are not available because of the financial condition of the parent organization.

- 3) A combined financial statement may be used to prequalify a single company. The affiliates of the prequalifying company shall submit a pledge letter. Corporations shall provide a corporate resolution which authorizes the pledge of assets (see Section 650, Appendix E of this Part).

## f) Letters of Credit

Bank letters or letters of credit will not be considered in the computation of the financial rating.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 650.200 Methods of Improving a Financial Rating

a) Personal assets of stockholders, officers, directors or employees may be pledged to improve the financial rating of the contractor seeking prequalification. See Section 650, Appendix C of this Part for information on assets acceptable to pledge and the letter required. Section 650, Appendix D of this Part illustrates the letter required from the certified public accountant for audited financial statements. The Department will not give credit for assets which are unduly burdened or heavily encumbered, and which are not available to the stockholder, officer, director or employee.

b) Assets of a nonprequalified affiliated company may be pledged to improve the financial rating of the contractor seeking prequalification if the following conditions are met:

- 1) The pledgor (affiliate) company and the pledgee company have at least 51 percent common controlling ownership.
- 2) Pledging of assets by the affiliate shall consist of the submittal of a financial statement. The financial statement of the affiliate must correspond with the date of the financial statement of the pledgee. The financial statement of the affiliate shall be the same type of financial statement (audited or unaudited) that was submitted by the company seeking prequalification.
- 3) The affiliate shall submit a pledge letter. Corporations shall provide a corporate resolution which authorizes the pledge of assets (see Section 650, Appendix E of this Part). If a combined financial statement is submitted, a corporate resolution pledging the nonprequalified firm's assets must be included.
- 4) The Department will not give credit for assets which are unduly burdened or heavily encumbered, and which are not available to the affiliate.
- c) Loans which are renegotiated and involve the time frame or the

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encumbrance of assets of the company may be reconsidered. Only loans which total in excess of \$100,000 will be considered. A copy of the new loan agreement is required.

- d) Subsequent events which take place more than one year from the date of the financial statement will not be permitted to improve the financial rating of a company. Only subsequent events which the Department considers material will be used to determine financial ratings.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 650.240 Performance Factor

a) The Performance Factor is a numerical value which is determined by the contractor's performance evaluation in a work category during the previous year. At the close of each construction season, the Department or officials of a unit of local government administering a contract approved for award by the Department will evaluate each contractor who performed work for them during the previous year either as a prime contractor or as a subcontractor. This information is submitted on the Contractor's Annual Performance Report (BC-1777).

The performance evaluations are based on:  
1) The quality of work performed for each work category defined in Section 650. Appendix A of this Part.

2) The overall execution of work as measured by evaluating five four categories.

- A) Organization and prosecution of the work;
- B) Cooperation with public agency personnel responsible for contract administration and inspection;
- C) Traffic control and site protection as provided by contract requirements; ~~and~~
- D) Compliance with EEO and labor requirements; and;
- E) Erosion Control.

b) The performance evaluation scale is a rating from 2.0 to 8.0 in accordance with the following definitions:

- 8.0 Excellent
- 7.0 Good
- 6.0 Satisfactory
- 4.0 Marginal
- 2.0 Poor

c) The quality and evaluating categories under execution of work are defined and rated as follows.

- 1) Quality - The project's durability and appearance, the knowledge of supervisory personnel, and the compliance with contract requirements (i.e., plans, specifications, field inspection, etc.) are considered.

2) Quality Scale

- 8.0 The contractor exceeded project requirements in all areas

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considered.

7.0 The contractor exceeded project requirements in a majority of areas considered.

6.0 The contractor met project requirements in all areas considered.

4.0 The contractor did not meet project requirements in one area considered.

2.0 The contractor did not meet project requirements in two or more areas considered.

3) Organization/Prosecution - The contractor's ability to diligently prosecute work by planning and scheduling labor, materials and the work of subcontractor's on project site are considered.

4) Organization/Prosecution Scale

8.0 The contractor exceeded project requirements in all areas considered and completed the project well ahead of schedule.

7.0 The contractor exceeded project requirements in a majority of areas considered and the project was completed slightly ahead of schedule.

6.0 The contractor met project requirements in all areas considered and the scheduled completion date was met.

4.0 The contractor did not meet project requirements in one area considered and occasionally did not work when conditions permitted. The scheduled completion date was met.

2.0 The contractor did not meet project requirements in two or more areas considered and the scheduled completion date was not met.

5) Cooperation - The contractor's willingness to negotiate contract disputes, to respond to reasonable requests by the resident engineer, and to respond to various Departmental correspondence are considered.

6) Cooperation

8.0 The contractor exceeded project requirements in all areas considered.

7.0 The contractor exceeded project requirements in a majority of areas considered.

6.0 The contractor met project requirements in all areas considered.

4.0 The contractor did not meet project requirements in one area considered.

2.0 The contractor did not meet project requirements in two or more areas considered.

7) Traffic Control/Site Protection - The appearance of the traffic control devices, the response to repair deficient devices and the contractor's willingness to comply with the Traffic Control Plan (TCP) are considered.

8) Traffic Control/Site Protection

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- 8.0 The contractor exceeded project requirements in all areas considered.
- 7.0 The contractor exceeded project requirements in a majority of areas considered.
- 6.0 The contractor met project requirements in all areas considered.
- 4.0 The contractor did not meet project requirements in one area considered.
- 2.0 Either the contractor did not meet project requirements in two or more areas considered or the contractor committed an act or omission which seriously compromised the safety of the public.
- 9) EEO/Labor Compliance - The contractor's compliance with the Equal Employment Opportunity program and compliance with labor laws are considered.
- 10) EEO/Labor Compliance
- 8.0 The contractor exceeded project requirements.
- 7.0 The contractor met project requirements through extraordinary effort and initiative.
- 6.0 The contractor met project requirements with minimum effort and initiative.
- 4.0 The contractor met project requirements, but had to be motivated by Department personnel.
- 2.0 The contractor did not meet project requirements.
- 11) Erosion Control - The contractor's compliance with the project's erosion control plan and all pertinent federal and state laws, permits and regulations
- 12) Erosion Control
- 8.0 The contractor exceeded project requirements.
- 7.0 The contractor exceeded project in a majority of the areas considered.
- 6.0 The contractor met project requirements in all areas.
- 4.0 The contractor did not meet the project requirements in one area considered.
- 2.0 The contractor did not meet the contract requirements in two or more areas.
- d) The Performance Factor is equal to the performance evaluation rating for quality of work times the weighted average for all execution of work values divided by 36 six. However, if a rating of 4.0 or less occurs in a category under execution of work as determined by the District, the District Engineer will indicate those work categories affected and will explain the problems encountered. In addition, an average value from all the categories under execution of work will be determined. If the average value for execution of work is less than the performance evaluation for quality of work, this average value will be used to determine the Performance Factor. Only those work categories indicated by the District Engineer will be affected.
- e) A work rating will not be renewed or will be revoked if a performance

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- evaluation rating of less than 6.0 4-0 in quality of work is received for two successive years.
- f) A work rating will not be renewed or will be revoked if a District determines for two successive years a performance evaluation rating of 6.0 or less in the same category under execution of work. However, the Engineer of Construction will determine the work ratings to remain in effect if another District Engineer indicates satisfactory performance within that District. An explanation for allowing the work ratings to remain in effect will be provided by the Engineer of Construction.
- g) The contractor shall be notified of the performance evaluation in writing within 14 days with a detailed explanation of any substandard items. If a performance evaluation results in a reduced work rating, the contractor may proceed with the review procedures in accordance with Section 650.150 of this Part.
- h) If an applicant did not have a contract with the Department in the previous year, the last evaluation issued within a five year period will be used. If an applicant has not had an evaluation in the last five years or is applying for an initial rating in a category and lists no public agencies or private customers as references, a Performance Factor of "1" will be used until an actual evaluation is made.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 650.260 Equipment Factor (EqF)

- a) Work categories which require the applicant to have specific equipment and plant facilities are indicated in Section 650. Appendix A of this Part. Determination of work ratings in these categories requires the calculation of an Equipment Factor which measures the physical productive capacity of the applicant's equipment and facilities. Equipment Factors are based on standards which produce an average dollar value of productivity as set forth in Section 650. Appendix A of this Part. The Department may adjust the standards as necessary to reflect increases in construction costs.
- b) In calculating Equipment Factors, the Department will consider:
- 1) Equipment owned outright. All equipment which is serviceable will be considered even though fully depreciated.
  - 2) Equipment pledged in its entirety for the exclusive use of the applicant. A stockholder, officer, director or employee of the company may pledge equipment. A parent, subsidiary or affiliate may also pledge equipment. The request to pledge shall be in writing by the pledgor and shall include the following:
    - A) The pledgor and the pledgee.
    - B) The make, model, year, serial number and size or capacity of the equipment.



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C) A statement that the equipment is "pledged for the exclusive use" of the applicant.

D) A statement that the pledge is for the "remainder of the applicant's prequalification period".

E) The signature of the pledgor.

F) Corporations shall provide a corporate resolution which authorizes the pledge of equipment (see Section 650. Appendix E of this Part).

category of Earthwork.  
(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 650.280 Calculation of Work Ratings

- 3) Either leased or rented equipment currently in the possession of the applicant or leased or rented equipment possessed by the applicant during the previous year, whichever is greater. Possession shall be confirmed by the submittal of a signed and notarized affidavit. No credit will be given for leased equipment not in possession to establish an equipment factor. Applicants shall submit a copy of the lease agreement which must contain the following:
- A) Time period. Either a minimum twelve month period or the prequalification period is required.
- B) Make, model, year, serial number and size or capacity of the equipment.
- C) Monetary consideration.
- D) Signature of the lessee and lessor.
- E) The statement of "exclusive use" and notarization of the signatures for equipment involving a bituminous or concrete plant.
- c) Credit for equipment (including plants) will not be given until the applicant provides proof that all required federal, State or local permits or licenses to operate the equipment have been obtained. ~~The applicant shall make equipment available for inspection so the Department can verify possession and determine its serviceability. No credit will be given for equipment that is in repair or is inoperable. Equipment owned but leased to another contractor will not be considered available for a work category.~~ Concrete plants used for retail sales will not be eligible to establish an equipment factor for the work category of Portland Cement Concrete Paving.
- d) No credit will be given for equipment that is in disrepair or is inoperable. Equipment owned but leased to another contractor will not be considered available for a work category.
- e) The applicant shall make equipment available for inspection so the Department can verify possession and determine its serviceability.
- f) Equipment such as front-end loaders, motor graders and cranes are versatile and can perform several types of work. If the contractor does not assign equipment to a specific category, the Department will assign the equipment on the basis of the contractor's work experience and requested ratings. The Department will not give credit for equipment which is not available for a work category. For example, an applicant may have front-end loaders which are used he-uses in a quarry; this equipment would not be considered available for the work
- a) Applicants assigned work ratings in the categories of Earthwork, Portland Cement Concrete Paving, Bituminous Plant Mix, Bituminous Aggregate Mixtures, Aggregate Bases & Surfaces (type A or B) and Cover & Seal Coats are required to possess specific equipment or plant facilities which are assigned Equipment Factors. Work ratings in these categories are calculated by the primary formula.  
 $WR = PF (EF/2 + EqF/2)$  (Primary Formula)
- b) Equipment Factors based on plant production may be quite large, but new or inexperienced contractors may not be able to realize the full potential of their capacity. For this reason, the primary formula considers experience as well as equipment and plant capacity. In the simplest case, a new applicant with no experience and a presumed performance factor of 1.0 will receive a work rating equal to one half the calculated Equipment Factor. As the applicant gains experience, the work rating will increase. When the Experience Factor equals or exceeds the Equipment Factor, the work rating is calculated by the advanced formula below.  
 $WR = PF \times EqF$  (Advanced Formula)
- c) All remaining work categories are calculated by the secondary formula.  
 $WR = PF \times Cp \times 1.2$  (Secondary Formula)
- d) The secondary formula does not utilize an equipment factor because of the immeasurable productive capacity of the equipment or plant facility; however, equipment must be owned by or leased available to the applicant. See Section 650. Appendix A of this Part for a listing of equipment or plant facilities. The secondary formula includes a factor of 1.2 to provide a margin for growth.
- e) An applicant's capacity to perform may exceed the calculated equipment factor. This can occur by good management, efficiency and additional hours of work. When this occurs, the primary and advanced formulas will be replaced by the secondary formula.
- f) The work rating in any given category may not exceed the financial rating of the applicant.
- g) If the primary, advanced or secondary formula results in a value in excess of \$25 million, the work category will be assigned an unlimited rating provided the applicant's financial rating is unlimited.
- h) A work rating may be designated as "Illinois Work Only." This work rating indicates the dollar value of work which the applicant's own forces can perform within the State of Illinois in one construction season. This rating will be established by the Department if the applicant does work in more than one state or outside the continental United States and it would be impractical to verify all outstanding

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- work.
- i) Prior to any consideration for establishing a work rating value, the applicant shall provide a list of all technical, supervisory and key personnel who would manage a project awarded by the Department. This list should include the individual's job title and number of years of construction experience. The Department may also require the submittal of resumes of the above individuals. Applicants prequalifying with the Department for the first time shall be required to submit resumes. Insufficient personnel may be justification for a reduction in the rating of a work category as determined by the primary, advanced or secondary formula. Hiring of additional personnel may be justification for an increase in the rating of a work category. Applicants without experienced personnel for a requested work category may be denied the rating.
- j) Methods to Improve a Work Rating
- 1) Hiring of additional personnel.
  - 2) Purchase, lease or rental of additional equipment.
  - 3) Completion of additional work.
- k) A contractor may request additional rating in a work category at any time during the prequalification period by submitting a revised application or supplemental information.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART B: ISSUANCE OF PLANS AND PROPOSALS

## Section 650.310 Affidavit of Availability

- a) An Affidavit of Availability (Form BC-57) is attached to the Service Bulletin and must be submitted with a request for Authorizations to Bid. It is a sworn statement concerning the contractor's present and pending contract commitments. The contractor shall not omit or misrepresent its work outstanding. When the contractor has uncompleted or pending work as a party of a joint venture, the contractor's responsible portion of the work shall be shown. The affidavit shall be signed by an officer or director of a corporate contractor, and otherwise, an owner shall sign. The affidavit is not required when a contractor has unlimited work ratings and an unlimited financial rating or when Authorization to Bid is not being requested. The affidavit shall include:

- 1) The amount of all uncompleted work, by type, either as a principal or subcontractor together with the name of the agency under whose jurisdiction the work is being performed. All uncompleted work shall be based upon the engineer's or owner's most recent estimate.
- 2) The commitment of equipment and personnel on a payroll or rental basis even though no formal contract exists.

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- 3) All work on which the contractor is the low bidder and which has not yet been awarded.
- 4) A listing of all subcontractors and the value of work sublet.
- b) Prospective bidders shall notify the Department within two working days of any low bids pending award or contracts awarded which might occur between the submission of the affidavit and the opening of bids.
- c) Facsimiles of the affidavit will be accepted for analysis purposes. Authorization to Bid will not be issued without a correct, signed and notarized original affidavit in the Department's Central Bureau of Construction's possession by the cut-off date specified in the Service Bulletin.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 650.320 Analyzing Requests for Authorization to Bid

- a) In analyzing a contractor's request for Authorization to Bid, it is necessary to determine the contractor's available bidding capacity.
- 1) The total value of all uncompleted work awarded to the contractor, as shown on the Affidavit of Availability, is deducted from the financial rating shown on the Certificate of Eligibility. The result is the Available Financial Rating.
  - 2) The value of each type of work uncompleted and included in pending low bids the contractor will perform with its own forces as a prime or subcontractor, as shown on the Affidavit of Availability, is deducted from the corresponding category of work rating shown on the Certificate of Eligibility. The result is the Available Work Rating in each category. If a contractor has a work rating designated for "Illinois Work Only," then only Illinois work is deducted from the corresponding category of work rating.
  - 3) When the proposed work requires more than one construction season (18 months or 168 working days) to complete, the work ratings shown on the Certificate of Eligibility are multiplied by the number of construction seasons required for completion. The Available Work Rating is then determined as stated in subsection (a)(2) of this Section. Similar consideration is given to work reported on the Affidavit of Availability. Each work category of a project is divided by the number of construction seasons to complete the project. The Available Work Rating is then determined as stated in subsection (a)(2) of this Section.
  - 4) Contractors who have ratings in major work categories are given credit for work in applicable minor work categories. For example, a contractor with a rating in Portland Cement Concrete Paving or Structures is given credit for work in the minor work category of Miscellaneous Concrete Construction. The work category definitions in Section 650. Appendix A of this Part will



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indicate if a minor work category is applicable. Credit given for a minor work category is deducted from the contractor's available rating in the corresponding major work category.

- 5) Bituminous Plant Mix is rated at \$32/ton as compared to \$26/ton for Bituminous Aggregate Mixtures. See Section 650.600 Appendix A of this Part. However, the plant's hourly capacity remains the same. Therefore, the dollar value of outstanding Bituminous Aggregate Mixtures shown on the Affidavit of Availability will be increased by twenty percent in determining available work rating for Bituminous Plant Mix if a contractor's plant produces both Class I and B&M.

- b) In order to be issued an Authorization to Bid, a contractor's Available Work Ratings for all applicable categories must equal or exceed 50 percent of the estimated value of the contract, less designated specialty items. For Division of Aeronautics work, the Available Work Ratings must equal or exceed 51 percent of the estimated value. A contractor's Available Financial Rating must equal or exceed 95 percent of the total estimated value of each contract. However, the low bidder will not be awarded the contract unless the Available Financial Rating equals or exceeds the actual price bid.

- c) The Department will occasionally advertise for bids a contract which consists of an item or items which are of the type commonly constructed by the Capital Development Board (such as general building construction, roofing, plumbing, heating, ventilation and air conditioning) rather than by the Department of Transportation. In such instances, the advertisement will indicate waiver of prequalification under the rules of the Department according to Section 650.70 and will specify prequalification by the Capital Development Board pursuant to 44 Ill. Adm. Code 950. Any contractor requesting Authorization to Bid on such a project should include a current "Capital Development Board Certificate of Contractor Prequalification."

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 650.330 Issuance of Authorization to Bid

- a) There is no limit to the number of Authorizations to Bid issued a contractor as long as the available bidding capacity satisfies the requirements of each individual contract. If the contractor is the low bidder on two or more contracts and the sum of the bids exceeds the available bidding capacity, the Department will select the contract or contracts for award.
- b) Authorization to Bid will not be issued on documentation requests received after 4:30 p.m. prevailing time on the cut-off date indicated in the Service Bulletin. In addition, any request to be removed from the bidder's list or to dissolve a joint venture must be received prior to the time indicated in the previous statement.

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- c) Under certain circumstances, the Department shall issue Authorization to Bid to a firm without restriction. The firm must possess an unlimited financial rating and two unlimited work ratings see Section 650.280 of this Part), or possess a financial rating of \$150 million or a net worth of \$40 million. There must also be no evidence of any past performance problems on any previous contracts.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 650.340 Joint Ventures

- a) Prequalified contractors may combine their available bidding capacity and request an Authorization to Bid for a single contract to bid as a joint venture after Department approval.
- b) Each request for approval of a joint venture shall be indicated by the filing of a Certificate of Joint Venture ~~Joint-Venture-Minimum Declaration-of-Work~~ for each of the contracts for which joint venture approval is sought. The form is available from the Prequalification Section. It identifies the managing partner and ~~indicates-the-kind and-the-percentage-of-work-to-be-performed-by-each-joint-venture partner-with-its-own-workforce-and-resources-other-than-work-reserved-to-meet-any-disadvantaged-business-goal-advertised-in-the-contract-the-form~~ indicates the joint venture agreement shall be available to the Department for inspection. In addition, each joint venture partner firm shall submit an Affidavit of Availability. The Certificate ~~Joint-Venture-Minimum-Declaration-of-Work-and-all Affidavits-of-Availability~~ must be received no later than 4:30 p.m. prevailing time at least seven days prior to the scheduled date of the letting for which bidding proposals are sought.

- c) The proposed joint venture shall not be approved for the issuance of bidding proposals if the establishment of a joint venture would unduly restrict competition. A determination that a proposed joint venture would unduly restrict competition is limited to any of the following reasons:

- 1) That the proposed joint venture would consist of more than three prequalified contractors unless the project is designated by the Department in the advertisement for bids as open for unrestricted joint venturing due to the magnitude, complexity and risks of the work.
- 2) ~~That-the-Joint-Venture-Minimum-Declaration-of-Work-indicates-that any-one-of-the-proposed-joint-venture-partners-will-perform-less than-10-percent-of-the-non-disadvantaged-business-work-with-its own-workforce-and-resources.~~
- 2) That for letting items estimated by the Department to be bid at less than \$1,000,000, more than one of the proposed joint venture partners has the individual prequalification ratings and bid capacity to bid the item without the approval of the venture.



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This determination shall not apply to joint ventures between affiliated contractors based upon ~~firms having 51 percent or more common controlling ownership or common management where the officers, directors or general partners control the board of directors and/or management of each contractor, or on items where the estimated quantity of asphalt exceeds 10,000 tons or concrete exceeds 5,000 cubic yards.~~

- d) Contractors whose financial ratings are based upon unaudited financial statements will not be permitted to joint venture with each other to bid contracts which are estimated to exceed \$500,000 ~~\$350,000.~~ However, such contractors may be permitted to joint venture with contractors who have a financial rating based upon an audited statement to bid contracts estimated to exceed \$500,000 ~~\$350,000.~~
- e) If a joint venture work rating is limited by its maximum financial rating, the full value of the computed work rating will be used in analyzing the joint venture request for a bidding proposal. However, the combined maximum work rating in any category shall not exceed the combined maximum financial rating of the joint venture.
- f) ~~if an approved joint venture is awarded a contract, the kind and percentage of work indicated on the Joint Venture Minimum Declaration of work may be amended as many times as necessary by the contractor provided that each partner of the approved joint venture performs at least 15 percent of the work with its own workforce and resources.~~

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 650.350 Denial of Authorization to Bid

The Department will not issue Authorization to Bid for any of the following reasons:

- a) The potential bidder is not prequalified under the provisions of this Part.
- b) The potential bidder will not be prequalified on the day of the scheduled letting which is the subject of the Request for Authorization to Bid.
- c) The potential bidder has uncompleted work on previously awarded contracts which, in the judgment of the Department, might hinder or prevent the prompt completion of additional work if awarded.
- d) The potential bidder has provided false information ~~provided on a bidder's Affidavit of Availability or has not promptly notified the Department of subsequent awarded contracts or pending awards.~~
- e) The potential bidder has failed to submit final documentation on any open contract or to pay, or satisfactorily settle, all bills due for labor and material on previously awarded contracts in force at the time of issuance of proposal forms.
- f) The potential bidder has failed to comply with this Part or the bidding procedures of the Department.

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- g) The potential bidder has defaulted or otherwise breached its obligations on ~~under previous~~ Department awarded contracts or contracts approved for award by the Department; has failed to execute an awarded contract; or has caused the readvertisement of a project through mistakes or neglect in the bidding procedures.
- h) When any agent, servant, employee, associated organization, affiliate or related entity of the prospective bidder has participated in the preparation of plans, specifications or special provisions for the proposed work.
- i) The potential bidder is subject to revocation of prequalification ratings in accordance with Section 650.110 of this Part.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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Section 650. APPENDIX A Available Work Categories AVAILABLE WORK CATEGORIES

- 1 Earthwork
- 2 Portland Cement Concrete Paving
- 3 Bituminous Plant Mix
- 4 Bituminous Aggregate Mixtures
- 5 Miscellaneous Bituminous Paving
- 6 Cleaning and Sealing Cracks & Joints
- 7 Soil Stabilization and Modification
- 8 Aggregate Bases & Surfaces (A,B)
- 9 Structures (H,RR,W)
- 10 Structures Repair
- 11 Anchors and Tiebacks
- 12 Drainage
- 13 Drainage Cleaning
- 14 Electrical
- 15 Cover and Seal Coats (A,B)
- 16 Slurry Applications
- 17 Miscellaneous Concrete Construction
- 18 Landscaping
- 19 Seeding and Sodding
- 20 Vegetation Spraying
- 21 Tree Trimming and Selective Tree Removal
- 22 Fencing
- 23 Guardrail
- 24 Grouting
- 25 Painting
- 26 Signing
- 27 Paint Pavement Marking
- 28 Thermoplastic Pavement Marking
- 29 Epoxy Pavement Marking
- 30 Installation of Raised Pavement Markers
- 31 Pavement Texturing and Surface Removal
- 32 Cold Milling, Planing and Rotomilling
- 33 Erection
- 34 Demolition
- 35 Fabrication
- 36 Tunnel Excavation
- 37 Expressway Cleaning
- 38 Railroad (Track) Construction
- 39 Marine Construction
- 40 Hydraulic Dredging
- 41 Hot (in-place) Recycling
- 42 Cold (in-place) Recycling

EARTHWORK

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Consists of clearing, grubbing, tree removal (except selective tree removal), hedge removal, roadway excavation, channel excavation, borrow excavation, special excavation, topsoil excavation and placement, ditch excavation, common excavation, solid rock excavation, mine refuse excavation, pavement removal, hauling, embankment (earth, stone, gravel or other materials), backfilling (all types of materials), grading, compacting and trenching. This category is also applicable to projects involving Demolition (see definition), riprap installation, construction of aggregate ditch, construction of gabions, slope mattress and revetment mats (riprap or interlocking concrete blocks) and removals. In addition, this category is applicable to Seeding (see definition at Section 650.20) for Land Reclamation projects.

EQUIPMENT: Scrapers, gradalls, graders, cranes, shovels, excavators, backhoe loaders, front-end loaders, skid-steer loaders, bulldozers, sheeps foot rollers, vibratory rollers or fine grading equipment are required to establish a rating.

CALCULATION OF WORK RATING: Primary or advanced formula.

Equipment	Equipment factor (EqF)
Self-propelled scrapers	\$21,000 per cubic meter of heaped capacity \$16,000 per cubic yard of heaped capacity
Pull type scrapers	\$12,000 per cubic meter of heaped capacity \$9,000 per cubic yard of heaped capacity
Gradalls	\$115,000 each
Graders	\$100,000 each
Cranes, shovels, excavators and backhoe loaders	\$360,000 for .5 cubic meter bucket size \$405,000 for .75 cubic meter bucket size \$480,000 for 1 cubic meter bucket size \$580,000 for 1.25 cubic meter bucket size \$730,000 for 1.5 cubic meter bucket size \$800,000 for 1.75 cubic meter bucket size \$880,000 for 2 cubic meter bucket size \$1,060,000 for 2.5 cubic meter bucket size \$1,400,000 for 3 cubic meter bucket size \$1,730,000 for 3.5 cubic meter bucket size \$375,000 for .75 $\frac{3}{4}$ cubic yard bucket size \$405,000 for 1 cubic yard bucket size \$460,000 for 1.25 $\frac{1}{4}$ cubic yard bucket size \$550,000 for 1.5 $\frac{1}{2}$ cubic yard bucket size \$635,000 for 1.75 $\frac{3}{4}$ cubic yard bucket size \$750,000 for 2 cubic yard bucket size

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Front-end loaders	\$835,000 for 2.5 2-1/2 cubic yard bucket size
	\$1,010,000 for 3 cubic yard bucket size
	\$1,210,000 for 3.5 3-1/2 cubic yard bucket size
	\$1,440,000 for 4 cubic yard bucket size
	\$1,610,000 for 4.5 4-1/2 cubic yard bucket size
	\$115,000 for less than 1.5 cubic meter bucket size
	\$210,000 for 1.5 to 2 cubic meter bucket size
	\$340,000 for 2.1 to 3 cubic meter bucket size
	\$475,000 for 3.1 to 4 cubic meter bucket size
	\$605,000 for greater than 4 cubic meter bucket size
	\$115,000 for less than or equal to 2 cubic yard bucket size
	\$230,000 for 2.1 to -- 3 cubic yard bucket size
	\$375,000 for 3.1 to -- 4 cubic yard bucket size
	\$460,000 for 4.1 to -- 5 cubic yard bucket size
	\$605,000 for greater than 5 cubic yard bucket size
Skid-steer loaders	\$50,000 each
Bulldozers	\$200,000 each
Fine grading equipment	\$200,000 each
Self-propelled rollers	\$50,000 each
Pull-type rollers	\$15,000 each
Disc	\$15,000 each
Water truck	\$1.35 per liter
	\$5 per gallon
Off-road and bottom-dump trucks	\$20,000 per cubic meter of heaped capacity
	\$15,000 per cubic yard of heaped capacity

## PORTLAND CEMENT CONCRETE (PCC) PAVING

Consists of constructing pcc pavement, continuously reinforced pcc pavement, pcc base course and pcc base course widening, cement aggregate mixture sub-base, pozzolanic stabilized mixture sub-base and pozzolanic stabilized base course. This category is also applicable to Miscellaneous Concrete

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Construction (see definition at Section 650.20).

**EQUIPMENT:** A central mix plant, a batch plant with transit mixer trucks, formless paver and finishing machine. A concrete plant with either a formless paver or a finishing machine is the minimum equipment requirement.

**CALCULATION OF WORK RATING:** Primary or advanced formula. Concrete plants used for retail sales are not eligible.

EquipmentEquipment factor (EqF)

Central Mix Plant  
and Batch Plant\*

(C.M./Batch) X (20 Batches/Hr.)  
X (8 Hrs./Day) X (80 Days/Yr.)  
X (\$105/C.M.) X (1.0) for an  
approved plant

(C.Y./Batch) X (20 Batches/Hr.) X  
(8 Hrs./Day) X (80 Days/Yr.) X  
(\$80/C.Y.) X (1.0)

Central Mix Dual Plant  
and Dual Batch Plant\*

(C.M./Batch) X (20 Batches/Hr.)  
X (8 Hrs./Day) X (80 Days/Yr.) X  
(\$105/C.M.) X (1.7) for an  
approved plant  
(C.Y./Batch) X (20 Batches/Hr.) X  
(8 Hrs./Day) X (80 Days/Yr.) X  
(\$80/C.Y.) X (1.7)

\*To receive the maximum equipment factor (EqF) for a batch plant, the contractor shall possess a minimum of one transit mixer truck for every cubic yard of capacity of the plant.

BITUMINOUS PLANT MIX

The placement of bituminous concrete binder and surface course (Class I), bituminous concrete base course widening, bituminous base course, bituminous aggregate mixture stabilized sub-base, bituminous shoulder, bituminous curb, bituminous gutter, bituminous curb and gutter, bituminous sidewalk, bituminous driveway, bituminous median, bituminous patching, open graded asphalt friction course and incidental bituminous surfacing. Also includes placement and hot recycling of reclaimed aggregates and asphaltic cements, and placement and production of cold mix stabilized base. This category is also applicable to Miscellaneous Bituminous Paving (see definition at Section 650.20).

**EQUIPMENT REQUIRED:** A bituminous plant approved by the Bureau of Materials and Physical Research for Class I production, an approved bituminous spreading and finishing machine and compaction equipment.



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CALCULATION OF WORK RATING: Primary or advanced formula.Plant Production RatingEquipment Factor (EqF)

Metric Tons Per Hour (MTPH) MTPH X (8 Hrs./Day) X (80 Days/Yr.) X (\$35/Ton) X (1.00) approved plant or tentative approval type A

MTPH X (8 Hrs./Day) X (80 Days/Yr.) X (\$35/Ton) X (0.50) tentative approval type B

MTPH X (8 Hrs./Day) X (80 Days/Yr.) X (\$35/Ton) X (0.25) tentative approval type C

## Tons Per Hour (TPH)

(Established by Bureau of Materials and Physical Research)

TPH X (8 Hrs./Day) X (80 Days/Yr.) X (\$32/Ton) X (1.00) for approved plant or tentative approval type A

TPH X (8 Hrs./Day) X (80 Days/Yr.) X (\$32/Ton) X (.50) for tentative approval type B

TPH X (8 Hrs./Day) X (80 Days/Yr.) X (\$32/Ton) X (.25) for tentative approval type C

Note: Tentative approval is an evaluation of a plant by the Bureau of Materials and Physical Research prior to final approval.

BITUMINOUS AGGREGATE MIXTURES

Consists of the placement of bituminous aggregate mixture, stabilized sub-base and bituminous shoulder. Also includes placement and hot recycling of reclaimed aggregates and asphaltic cements, and placement and production of cold mix stabilized base. This category is also applicable to Miscellaneous Bituminous Paving (see definition at Section 650.20).

EQUIPMENT REQUIRED: A bituminous plant approved by the Bureau of Materials and Physical Research, an approved bituminous spreading and finishing machine and compaction equipment.

CALCULATION OF WORK RATING: Primary or advanced formula.Plant Production RatingEquipment Factor (EqF)

Metric Tons Per Hour (MTPH) MTPH X (8 Hrs./Day) X (80 Days/Yr.) X (\$29/Ton) X (1.00) approved plant or tentative approval type A

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MTPH X (8 Hrs./Day) X (80 Days/Yr.) X (\$29/Ton) X (0.50) tentative approval type B

MTPH X (8 Hrs./Day) X (80 Days/Yr.) X (\$29/Ton) X (0.25) tentative approval type C

TPH X (8 Hrs./Day) X (80 Days/Yr.) X (\$26/Ton) X (1.00) for approved plant or tentative approval type A

TPH X (8 Hrs./Day) X (80 Days/Yr.) X (\$26/Ton) X (.50) for tentative approval type B

TPH X (8 Hrs./Day) X (80 Days/Yr.) X (\$26/Ton) X (.25) for tentative approval type C

Note: Tentative approval is an evaluation of a plant by the Bureau of Materials and Physical Research prior to final approval.

MISCELLANEOUS BITUMINOUS PAVING

Consists of placing bituminous base, surface, widening or shoulders with a bituminous spreading and finishing machine. This category is restricted to either 1,200 tons in any one contract (Class I or BAM) or as specified by the local agency. Bituminous curb and gutter, sidewalk, driveway, median and patching are not to be included in the tonnage determination. This work can also be completed under Bituminous Plant Mix and Bituminous Aggregate Mixtures categories.

EQUIPMENT REQUIRED: An approved bituminous spreading and finishing machine and compaction equipment.

CALCULATION OF WORK RATING: Secondary formula.CLEANING AND SEALING CRACKS & JOINTS

Consists of routing and sealing cracks for asphaltic and concrete pavements.

EQUIPMENT REQUIRED: Router and melter.

CALCULATION OF WORK RATING: Secondary formula.SOIL STABILIZATION AND MODIFICATION

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Consists of constructing soil-cement base course and lime modified soils.

EQUIPMENT REQUIRED: Grader, rotary speedmixer, mechanical spreader, water tanker and compaction equipment.

CALCULATION OF WORK RATING: Secondary formula.

AGGREGATE BASES & SURFACES (TYPE A)

Consists of constructing granular sub-base, aggregate base course, aggregate surface course, aggregate shoulders and aggregate-turf pavement. Also includes construction of cement aggregate mixture sub-base, pozzolanic stabilized mixture sub-base, pozzolanic stabilized base course, lime modified soils (disc harrow method), calcium chloride applications, and sub-ballast.

AGGREGATE BASES & SURFACES (TYPE B)

Consists of hauling and spreading aggregate.

EQUIPMENT REQUIRED: Grader or mechanical spreader, and compaction equipment if applicable.

CALCULATION OF WORK RATING: Primary or advanced formula.

<u>Equipment</u>	<u>Equipment Factor (EqF)</u>
Grader and compaction equipment (Type A)	\$375,000 each
Mechanical spreader and compaction equipment (Type A)	\$375,000 each
Grader (Type B)	\$375,000 each
Mechanical Spreader (Type B)	\$375,000 each
Widener	\$200,000 each

STRUCTURES (HIGHWAY)

Consists of excavation for structures (includes cofferdams, temporary cribs, etc.), constructing concrete structures (bridges, box culverts, etc.), membrane waterproofing, constructing steel structures (bridges, corrugated structural plate drainage structures, etc.), constructing metal railings, constructing timber structures (bridges, etc.), Erection (see definition of this and following work categories at Section 650.20), installation of reinforcement bars, piling (all types), and construction of temporary bridges. This category is also applicable to Structures' Repair, Demolition, Miscellaneous Concrete

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

Construction, Fencing and Signing.

EQUIPMENT REQUIRED: see Structures (Waterway) Equipment.

CALCULATION OF WORK RATING: see Structures (Waterway) Calculation.

STRUCTURES (RAILROAD)

Consists of items listed above. This category is specific to structures carrying railroad transportation.

STRUCTURES (WATERWAY)

Consists of the construction of major structures and appurtenances for water storage and distribution, flood control and recreation. This includes dams, spillways, spillway crest gates, sluiceway, sluiceway gates, canals, channel appurtenances (culverts, flumes, inverted siphons, etc.), pump stations (including mechanical equipment), aqueducts, irrigation structures (checks, dams, gates, etc.), locks and dams, dikes, groins and jetties. This category also includes excavation for structures (includes cofferdams, temporary cribs, etc.), piling (all types), de-watering and Demolition (see definition at Section 650.20).

EQUIPMENT: Bulldozers, front-end loaders, shovels, cranes, backhoe loaders, excavators, pile hammers and bridge deck finishing machines. A crane is the minimum equipment requirement. However, a crane is not required for those contractors requesting a structures rating for \$150,000 or less.

CALCULATION OF WORK RATING: Secondary formula.

STRUCTURES REPAIR

Consists of bridge deck repair or bridge deck removal and replacement. This includes the use of latex modified concrete, polymer concrete, epoxy and other materials for patching, deck overlays, sealing, etc. Also includes membrane waterproofing, constructing metal railings, installation of reinforcement bars, superstructure repairs such as replacement of joints, replacement of bearings, beam straightening (heat or mechanical), repair and retrofit of fracture and fatigue distressed steel girders, member strengthening, etc. Substructure repairs are also included and consist of the use of epoxy, shotcrete and other materials for minor repairs of spalled or deteriorated concrete. This category is also applicable to Miscellaneous Concrete

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

Construction, Fencing and Signing (see definitions at Section 650.20). This work can be completed under the Structures (Highway) category.

EQUIPMENT REQUIRED: Front-end loaders, cranes, backhoe loaders, excavators and bridge deck finishing machines. A crane is the minimum equipment requirement. However, a crane is not required for those contractors requesting a structures repair rating for \$150,000 or less.

CALCULATION OF WORK RATING: Secondary formula.

ANCHORS AND TIEBACKS

Construction of all types of anchors and tiebacks which provide resistance to lateral and uplift forces in bridge abutments, retaining walls, bulkheads, dams, deep excavations and various support systems (underpinning, etc.).

EQUIPMENT REQUIRED: Auger, or drilling, or jacking equipment. Grouting equipment to include air compressor, mixing equipment, agitator-type reservoir tank and grout pump.

CALCULATION OF WORK RATING: Secondary formula.

DRAINAGE

Consists of the installation and removal of precast concrete box culverts, installation and removal of pipe culverts and storm sewers, relining of pipe culverts and storm sewers, installation of pipe drains and pipe underdrains, exploration trenches for locating farm underdrains, minor boring and jacking of pipe-in-place, installation of cast iron soil pipe, installation of water mains and water service lines, adjusting sanitary sewers and water service lines, construction of catch basins, manholes, inlets, inspection holes and valve vaults, minor cleaning of catch basins, adjustment and reconstruction of catch basins, manholes, inlets, inspection holes and valve vaults, installation and adjustment of frames and grates, filling existing manholes, catch basins, inlets, wells and drainage structures, moving fire hydrants, moving domestic meter vaults and water service boxes, riprap installation, construction of aggregate ditch, installation of excelsior blanket, fiber mat and fiberglass roving, construction of gabions, slope mattress and revetment mats (riprap or interlocking concrete blocks), construction of trench and backfill for communication cables, ducts and conduits, construction of inverted siphons, construction of flumes, and construction of pump stations (including mechanical equipment) and installation of corrugated structural plate drainage structures. This category is also applicable to de-watering projects, well drilling, slurry trench cut-off walls (soil-bentonite or cement-bentonite), and Drainage

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Cleaning.

EQUIPMENT REQUIRED: Trenching machine or backhoe loader or excavator.

CALCULATION OF WORK RATING: Secondary formula.

DRAINAGE CLEANING

Consists of cleaning of pipe culverts, storm sewers and catch basins. This work can also be completed under the Drainage Category.

EQUIPMENT REQUIRED: Vacuum or jetting equipment.

CALCULATION OF WORK RATING: Secondary formula.

ELECTRICAL

Consists of the installation of electric cable, duct and conduits, construction of trench and backfill for cables, ducts and conduits, traffic surveillance and control installations, traffic signal installations, installation of light pole, installation of light tower, installation of vapor luminaire, installation of sign lighting, installation of temporary lighting systems, installation of navigational lighting systems, installation of photocell relay service, installation of airport lighting systems, installation of airport beacon towers and airport rotating beacons, and other appropriate illumination systems. This category is also applicable to electronic weigh scale installations, installation and maintenance of motorist call box systems and installation of electrical controls/mechanical equipment for pump stations.

EQUIPMENT REQUIRED: Trenching machine or backhoe loader or excavator or aerial equipment.

CALCULATION OF WORK RATING: Secondary formula.

COVER AND SEAL COATS (TYPE A)

Consists of the application of bituminous materials for priming, road oiling, cover coating and seal coating.

COVER AND SEAL COATS (TYPE B)



DEPARTMENT OF TRANSPORTATION  
NOTICE OF PROPOSED AMENDMENTS

Consists of sealing parking lots and driveways.

EQUIPMENT REQUIRED: Distributor (Type A) or aggregate spreader (Type B).

CALCULATION OF WORK RATING: Primary or advanced formula.

<u>Equipment</u>	<u>Equipment Factor (EgF)</u>
Distributor (Type A)	\$400,000 each
Tanker Truck*(Type A)	\$ 50,000 each
Spreader (Type B)	\$400,000 each
*A maximum of two (2) tanker trucks per distributor will be allowed.	

SLURRY APPLICATIONS

Consists of slurry sealing and micro-surfacing.

EQUIPMENT REQUIRED: Slurry or micro-surfacing equipment.

CALCULATION OF WORK RATING: Secondary formula.

MISCELLANEOUS CONCRETE CONSTRUCTION

Consists of masonry work or the construction of concrete barrier, curb, gutter, combination curb and gutter, sidewalk, driveway pavement, median, paved ditch, flumes, slope wall, retaining wall, railroad crossing, pavement, base course, base course widening and all types of pavement patching. This category also includes construction of revetment mats (cast-in-place concrete slabs), construction of foundations (light pole, light tower, etc.) and various undersailing projects which allow the voids to be filled by gravity flow. Removal of concrete which consists of any of the aforementioned items or similar items is applicable to this work rating. This category is also applicable to construction of box culverts and other similar miscellaneous drainage structures. The total of pavement, base course and base course widening cannot exceed 15,000 square yards in any one contract. This work can also be completed under the PCC Paving and Structures (Highways, Waterways) categories.

EQUIPMENT: Concrete saws, generators, vibrators, forms, tampers, screeds and concrete placement equipment.

CALCULATION OF WORK RATING: Secondary formula.

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LANDSCAPING

Consists of planting trees, shrubs, vines, seedlings and other materials. This category also includes applying fertilizing nutrients, mulching, watering, pruning and selective removal of unwanted plants and Seeding and Sodding (see definition at Section 650.20).

EQUIPMENT: Auger equipment or hoe, tillers, disks, slope harrows, hydraulic seeders, cuttipackers, spinning-disk-seeders, tractor drawn or mounted seeders, rangeland type grass drill, mulch blowers, tree spade and water trucks. Seed bed preparation and seeding equipment, a tractor loader and a water truck is the minimum equipment requirement. Auger-equipment-or-hoe-with-disc-and-seeder is-the-minimum-equipment-requirement.

CALCULATION OF WORK RATING: Secondary formula.

SEEDING AND SODDING

Consists of seeding, sodding, applying fertilizer nutrients, mulching, watering, installation of excelsior blanket, fiber mat and other erosion work. This work can also be completed under the Landscaping category fiberglass roving.

EQUIPMENT: Tillers, disks, slope harrows, hydraulic seeders, cuttipackers, spinning-disk-seeders, tractor drawn or mounted seeders, rangeland type grass drill, mulch blowers and water tankers. Seed bed preparation and seeding equipment, a mulch blower and a tractor is the minimum equipment requirement. A-disc-and-seeder-is-the-minimum-equipment-requirement.

CALCULATION OF WORK RATING: Secondary formula.

VEGETATION SPRAYING

Consists of the application of chemicals to remove or control vegetation.

EQUIPMENT REQUIRED: Tanker truck with on- and off-road spraying equipment.

CALCULATION OF WORK RATING: Secondary formula. The contractor must have an Illinois Commercial Pesticide Applicator's license. Workers must have an Illinois Commercial Pesticide Operator's license issued by the Illinois Department of Agriculture. a-commercial-applicator-license-with-the-illinois Department-of-Agriculture

## DEPARTMENT OF TRANSPORTATION

## NOTICE OF PROPOSED AMENDMENTS

TREE TRIMMING AND SELECTIVE TREE REMOVAL

Consists of commercial arborist work such as trimming and thinning of trees, root pruning and removal of individual trees and tree stumps. Consists of pruning-trees, and selective-removal-of-trees-and-tree-stumps.

EQUIPMENT REQUIRED: Aerial equipment, brush chipper and stump grinder.

CALCULATION OF WORK RATING: Secondary formula.

FENCING

Consists of constructing chain link fence, wire fence and wood fence. This category is also applicable to the installation of object markers, delineators and mile post markers. This work can also be completed under the Structural (Highway, Railroad) and Structures Repair categories.

EQUIPMENT: Post hole auger equipment needed for Fencing rating of \$200,000 or more.

CALCULATION OF WORK RATING: Secondary formula.

GUARDRAIL

Consists of constructing steel plate beam guardrail, wood guardrail, cable road guard, posts (including guard posts), pipe handrail and metal railings. Removal of any of the aforementioned items or similar items is applicable to this work category.

EQUIPMENT REQUIRED: Post hammer or post hole auger.

CALCULATION OF WORK RATING: Secondary formula.

GROUTING

Consists of gunite construction, lime injection systems, clay grouting, chemical grouting, compaction grouting, cement grouting, jet grouting, asphalt grouting and bituminous or cement fly ash undersealing of concrete pavements. Applicable to soil stabilization and rehabilitation of dams, bridges, sewers, tanks, reservoirs, tunnels, culverts, walls, masonry structures, etc. This category is also applicable to mud jacking, slab jacking and various under-sealing projects.

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EQUIPMENT REQUIRED: Air compressor, mixing equipment, agitator-type reservoir tank and grout pump.

CALCULATION OF WORK RATING: Secondary formula.

PAINTING

Consists of the cleaning, containment and painting of metal surfaces. This includes structural steel, sign structures, sign supports, traffic signal hardware, lighting hardware, etc.

EQUIPMENT REQUIRED: Air compressor, sandblast equipment and paint spraying equipment.

CALCULATION OF WORK RATING: Secondary formula.

SIGNING

Consists of installing, relocating, renovating, refurbishing and cleaning sign panels. This category also includes the installation and relocation of sign supports and sign structures, installation of object markers, installation of delineators and installation of mile post markers. Removal of any of the aforementioned items is also applicable to this work category. This work can also be completed under the Structures (Highway) and Structure Repair categories.

EQUIPMENT REQUIRED: Auger and aerial equipment. A crane will also meet minimum equipment requirements. Auger only will be limited to roadside signing.

CALCULATION OF WORK RATING: Secondary formula.

PAINT PAVEMENT MARKING

Consists of the installation of paint pavement marking lines, letters and symbols.

EQUIPMENT REQUIRED: Truck mounted or hand operated painting equipment.

CALCULATION OF WORK RATING: Secondary formula.

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THERMOPLASTIC PAVEMENT MARKING

Consists of the installation of thermoplastic pavement marking lines, letters and symbols.

EQUIPMENT REQUIRED: Truck mounted or hand operated equipment which is approved by the Bureau of Operations within the Division of Highways.

CALCULATION OF WORK RATING: Secondary formula.

EPOXY PAVEMENT MARKING

Consists of the installation of epoxy pavement marking lines, letters and symbols.

EQUIPMENT REQUIRED: Equipment which is approved by the Bureau of Operations within the Division of Highways.

CALCULATION OF WORK RATING: Secondary formula.

INSTALLATION OF RAISED PAVEMENT MARKERS

Consists of the installation of raised reflective pavement markers and their removal.

EQUIPMENT REQUIRED: Plunge router or saw.

CALCULATION OF WORK RATING: Secondary formula.

PAVEMENT TEXTURING AND SURFACE REMOVAL

Consists of grooving or grinding PCC pavement or continuously reinforced PCC pavement.

EQUIPMENT REQUIRED: Grooving or grinding equipment.

CALCULATION OF WORK RATING: Secondary formula.

COLD MILLING, PLANING AND ROTOMILLING

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Consists of bituminous surface removal or texturing bituminous pavements. Also applicable to pulverizing and mixing existing bituminous material.

EQUIPMENT REQUIRED: Milling, planing or grinding machine.

CALCULATION OF WORK RATING: Secondary formula.

ERECTION

Consists of erecting structural steel or sign trusses. This work can be completed under the Structures (Highway, Railroad) category.

EQUIPMENT REQUIRED: Crane.

CALCULATION OF WORK RATING: Secondary formula.

DEMOLITION

Consists of the removal of timber, steel and concrete structures and buildings. This work can be completed under the Structures (Highway, Railroad, Waterway) and Earthwork categories.

EQUIPMENT REQUIRED: Crane or excavator or front-end loader, backhoe loader or bulldozer.

CALCULATION OF WORK RATING: Secondary formula.

FABRICATION

Consists of fabricating, delivering and storing structural steel.

EQUIPMENT REQUIRED: Fabrication plant.

CALCULATION OF WORK RATING: Secondary formula. The contractor must be listed on the AISC Register of Certified Structural Steel Fabricators and have a Certification Category of I, II or III to fabricate main load carrying components.

TUNNEL EXCAVATION



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Consists of earth and rock excavation for tunnels, and construction of liner plate shafts, steel sheeted shafts and wood sheeted shafts. This category also includes rock bolting and major boring and jacking of pipe-in-place.

EQUIPMENT REQUIRED: Tunnel boring machine.

CALCULATION OF WORK RATING: Secondary formula.

RAILROAD (TRACK) CONSTRUCTION

Consists of sub-ballast construction, ballast construction, installation of cross-ties and installation of steel rails.

EQUIPMENT REQUIRED: Ballast regulator, tamper and lifting equipment.

CALCULATION OF WORK RATING: Secondary formula.

EXPRESSWAY CLEANING

Consists of sweeping expressways and arterial routes.

EQUIPMENT REQUIRED: Motorized street sweeping equipment.

CALCULATION OF WORK RATING: Secondary formula.

MARINE CONSTRUCTION

Consists of the construction of harbors and docking facilities on lakes or rivers. This includes breakwater structures, groins, jetties, seawalls, major revetments (riprap, interlocking concrete blocks and cast-in-place concrete slabs), bulkheads, piers, wharves, fenders and dolphins. This work category is also applicable to excavation for structures (includes cofferdams, temporary cribs, etc.), piling (all types), de-watering, mechanical dredging, underwater inspection and underwater repair.

EQUIPMENT REQUIRED: Barge and barge-mounted crane.

CALCULATION OF WORK RATING: Secondary formula.

HYDRAULIC DREDGING

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Dredging of various waterways by the use of pumping equipment.

EQUIPMENT REQUIRED: Barge and pumping equipment.

CALCULATION OF WORK RATING: Secondary formula.

HOT (IN-PLACE) RECYCLING

A road construction technique that involves a single-pass or a two-pass operation which scarifies and rejuvenates the existing pavement material or combines existing pavement material with virgin material.

EQUIPMENT REQUIRED: Either a single recycle machine or a recycling train capable of heating, scarifying, remixing and relaying pavement material. Compaction equipment is also required.

CALCULATION OF WORK RATING: Secondary formula.

COLD (IN-PLACE) RECYCLING

A road construction technique that reuses existing pavement material.

EQUIPMENT REQUIRED: Emulsion tanker truck, recycle machine, paver and compaction equipment.

CALCULATION OF WORK RATING: Secondary formula.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

DEPARTMENT OF AGRICULTURE  
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- 1) Heading of Part: Grain Code
- 2) Code Citation: 8 Ill. Adm. Code 281
- 3) Section Numbers: Adopted Action:  
281.50 Amended
- 4) Statutory Authority: Grain Code [240 ILCS 40]
- 5) Effective Date of amendments: April 22, 1997
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this proposed amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: April 22, 1997
- 9) Notices of Proposal Published in Illinois Register: January 24, 1997, 21 Ill. Reg. 1114
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version: A clarification was added to Section 281.50(a)(8)(F).
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of amendments: The amendment clarifies any misinterpretation as to the treatment of a price later contract when a producer does not execute the price later contract within 30 days after the last date of delivery of grain on that contract.
- 16) Information and questions regarding this adopted amendment shall be directed to:  
Debbie Wakefield  
Illinois Department of Agriculture  
State Fairgrounds  
Springfield, Illinois 62794-9281  
Telephone: 217/785-5713  
Facsimile: 217/785-4505

The full text of Adopted Amendments begins on the next page:

DEPARTMENT OF AGRICULTURE  
NOTICE OF ADOPTED AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS  
CHAPTER I: DEPARTMENT OF AGRICULTURE  
SUBCHAPTER K: GRAIN

PART 281  
GRAIN CODE

Section	
281.10	Right of Examination and Working Conditions
281.20	Licensing: Application, Fees and Financial Ratios
281.30	Required Insurance
281.40	Required Records
281.50	Price Later Contracts
281.60	Warehouse Receipts
281.70	Types of Storage
281.80	Failure; Claims; Liquidation
281.90	Miscellaneous

AUTHORITY: Implementing and authorized by the Grain Code [240 ILCS 40].

SOURCE: Adopted at 20 Ill. Reg. 5499, effective April 1, 1996; expedited correction at 20 Ill. Reg. 9585, effective April 1, 1996; amended at 21 Ill. Reg. 5526, effective April 22, 1997.

Section 281.50 Price Later Contracts

- a) Prescribed Form
  - A price later contract executed between a licensee and a producer shall be on a prescribed form which has been approved by the Department. The prescribed form shall include, but need not be limited to, the following information:
    - 1) The legal name and address of the licensee;
    - 2) The legal name of the seller;
    - 3) The bushel amount of grain to be covered by the contract;
    - 4) The grade and commodity of grain to be covered by the contract;
    - 5) The dates of delivery of the grain to be covered by the contract;
    - 6) The method of pricing;
    - 7) A section to indicate service charges, advances or other terms;
    - 8) The following statements:
      - A) That title to the grain covered by this contract passes to buyer upon delivery;
      - B) Buyer is required to maintain grain assets and price later, storage, and drying service charges equal to 90% of its price later obligations;
      - C) Price later grain is not stored for the seller. This contract is regarded as a grain dealer claim. The maximum coverage afforded by the Illinois Grain Insurance Fund is 85% of the valid grain dealer claim amount up to a maximum

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

of \$100,000 per claimant. A valid grain dealer claim includes all groups of contracts that in any way can be related or tied to a person or entity whether in full or in part;

D) This contract shall cease to be the basis of a valid claim against the Illinois Grain Insurance Fund:

- i) Upon the expiration of 160 days after the grain sold under this contract is priced; or
- ii) Upon the expiration of 270 days after the latter of the execution of this contract or the date of delivery of the grain sold under this contract;

E) The execution of "subsequent price later contracts by the producer and the licensee for grain previously covered by a price later contract shall not extend the coverage of a claim beyond the original 270 days;

F) Contract must be signed by both parties within 30 days after the last date of delivery or the grain will be priced on the next available business day at the closing price on that day

~~and this contract will become void;~~

9) A section indicating the signature and date of signature for both the seller and buyer's representative;

10) The reverse of the contract shall contain a schedule of settlements for the grain to be covered by the contract.

b) Printing

A price later contract shall be printed by a person authorized to print such contracts by the Department. The Department shall authorize persons to print price later contracts if they are printed in accordance with the Grain Code and the rules of this Part and if they have posted the required bond. The printer shall provide a surety bond in the sum of \$5,000 payable to the Illinois Department of Agriculture, Director of the Department of Agriculture as Trustee. All price later contracts shall be:

- 1) Printed only for licensees.
- 2) Numbered consecutively either at the time of printing or through the control of a computer generated system.
- 3) A complete record of contracts printed shall be retained by the printer for 5 years, showing for whom printed, the number printed, and the consecutive numbers that were printed on the contracts.

c) Separate Series

Each location at which price later contracts are issued shall have its own identifiable series of price later contracts.

d) Requirements for Use of Price Later Contracts

- 1) Only one commodity per contract.
- 2) The bushel quantity of a price later contract may not be increased.
- 3) Price later contracts are to be executed in triplicate with the original copy maintained by the dealer.

## DEPARTMENT OF AGRICULTURE

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4) The dealer shall maintain the updated and signed contracts in numerical order.

5) No storage charges shall be made with respect to any commodity purchased by price later. A service charge may be assessed.

6) A rollover shall be documented with the initials of both parties and dated by both parties.

7) Grain assets included in the assets required to meet 90% of outstanding price later obligations do not have to be commodity specific.

e) Pre-delivery Price Later

When a price later contract is used as a pre-delivery contract, the original bushel amount may be adjusted down to reflect the actual amount of grain delivered against the contract.

(Source: Amended at 21 Ill. Reg. 5526, effective Apr 22, 1991)



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- 1) Heading of the Part: Illinois State Fair, and DuQuoin State Fair, Non-Fair Space Rental and the General Operation of the State Fairgrounds
- 2) Code Citation: 8 Ill. Adm. Code 270
- 3) Section Numbers: Adopted Action:  
270.261 Amended  
270.485 Repealed
- 4) Statutory Authority: State Fair Act [20 ILCS 210] and Section 40.14 and Section 16 of the Civil Administrative Code of Illinois [20 ILCS 5/16 and 40.14]

5) Effective Date of amendments: April 22, 1997

6) Does this rulemaking contain an automatic repeal date? No

7) Does this proposed amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: April 22, 1997

9) Notices of Proposal Published in Illinois Register: January 24, 1997, 21 Ill. Reg. 1119

10) Has JCAR issued a Statement of Objections to these rules? No

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? N/A

13) Will this amendment replace an emergency amendment in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of amendments: The amendment to Section 270.261 states that the Department with the advice of the Land of Lincoln Purebred Breeders Association will set the percentage of the appropriation made for the Land of Lincoln Breeders Awards for Purebred or Registered Livestock for each class or show of livestock at the Illinois State Fair and publish this information in the Illinois State Fair premium book annually.

Section 270.485 is being repealed because the rule is ambiguous and is no longer applicable to current fair policies.

16) Information and questions regarding this adopted amendment shall be directed to:

## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

Debbie Wakefield  
Illinois Department of Agriculture  
State Fairgrounds  
Springfield, Illinois 62794-9281  
217/785-5713  
Facsimile: 217/785-4505

The full text of Adopted Amendments begins on the next page:

DEPARTMENT OF AGRICULTURE

NOTICE OF ADOPTED AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS  
CHAPTER I: DEPARTMENT OF AGRICULTURE  
SUBCHAPTER j: FAIRS

PART 270

ILLINOIS STATE FAIR, AND DUQUOIN STATE FAIR,  
NON-FAIR SPACE RENTAL AND THE GENERAL  
OPERATION OF THE STATE FAIRGROUNDS

SUBPART A: DEFINITIONS; POLICY: VIOLATION

Section  
270.10 Definitions  
270.15 Policy  
270.20 Violation of Rules; Administrative Hearings

SUBPART B: CONCESSIONS AND EXHIBITS AT THE STATE FAIR

Section  
270.25 Categories of Exhibits  
270.30 Privilege to Operate a Concession or Exhibit  
270.35 Application for Reassignment of Space  
270.40 New Applications for Space Rental  
270.45 Substitute Locations or Discontinuance of Contracts  
270.50 Reassignment of Space by Department  
270.55 Number of Stands Permitted  
270.60 Policy Governing Exhibits/Concessions and Approval to Conduct

270.65 Policy of Permitting Space Without Monetary Charge  
270.70 Exercising Constitutional Freedoms  
270.75 Assignment of Contracts  
270.80 Inspection of Premises  
270.85 Removal or Denial of Acceptance  
270.90 Concessions and Exhibits Prohibited  
270.95 Liquified Petroleum Gas  
270.100 Merchandising Permits  
270.105 Measuring Space  
270.110 Electricity  
270.115 Broadcasting Devices  
270.120 Display of Exhibit or Concession Number  
270.125 Protection of the Public and Lessee's Property  
270.130 Distributing Literature or Display Advertising  
270.135 Payment of Space Rental Contract  
270.140 Operational Hours  
270.145 Sales Prior to the State Fair  
270.150 Sales During the State Fair  
270.155 Property Shipped to the State Fair  
270.160 Removal of Property

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270.165 Gambling, Raffles, Prizes, Games of Chance, Intoxicating Beverages  
270.170 Inside Exhibits  
270.175 Posting Food Prices  
270.180 Clean-Up  
270.185 Public Health  
270.190 Food and/or Drink Service Operations  
270.195 Release Procedure  
270.200 Security  
270.205 Liability  
270.210 Concessionaire's or Exhibitor's Trailers  
270.215 Failure to Abide by Rules or Contract Provisions  
270.220 Lessee's General Standard of Conduct  
270.221 Emergency Closing

SUBPART C: HORSE RACING AT THE STATE FAIR

Section  
270.225 Categories of Horse Racing  
270.230 State Fair Colt Stakes Races  
270.235 Review Futurity Races  
270.240 Illinois Trotting and Pacing Colt Races  
270.245 Quarter Horse Races

SUBPART D: PREMIUMS AND RULES GOVERNING EXHIBITS OR EVENTS

Section  
270.250 Premiums Offered  
270.255 Premium Books  
270.260 Payment of Premiums  
270.261 Land of Lincoln Breeders Awards for Purebred or Registered Livestock

SUBPART E: JUDGES: STATE FAIR

Section  
270.265 Professional and Artistic Contracts  
270.270 Judge's Salary  
270.275 Selection of Judges

SUBPART F: CERTIFICATES OF AWARD: STATE FAIR

Section  
270.280 Certificates, Ribbons and Trophies

SUBPART G: FEES FOR ADMISSION TO THE STATE FAIR

Section  
270.285 Daily Admission Charge  
270.290 Special Events

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270.295 Designated Days  
 270.300 Gate Admission Charge Waived  
 270.305 Schedule of Admission Charges and Fees  
 270.310 Admission of Motor Vehicles  
 270.315 Employees of Exhibitor/Concessionaire

SUBPART H: TRAFFIC CONTROL, PARKING AND CAMPING: STATE FAIR

Section  
 270.320 Camping Location  
 270.325 Fee for Camping  
 270.330 Camping Sticker  
 270.335 Removal of Illegally Parked Vehicles  
 270.340 Extension Cords  
 270.345 Traffic Control and Parking; Spraying Livestock Trucks

## SUBPART I: MISCELLANEOUS RULES GOVERNING THE OPERATION OF THE STATE FAIR

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## DEPARTMENT OF AGRICULTURE

## NOTICE OF ADOPTED AMENDMENTS

270.460 Discrimination  
 270.465 Camping  
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 270.480 Gambling, Raffles, Prizes, Games of Chance, Intoxicating Beverages  
 270.485 Non-Exclusivity (Repealed)  
 270.490 Lessee's General Standard of Conduct  
 270.495 Criteria for Grant of Privileges  
 270.500 Waiver of Applicable Rules (Repealed)  
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 270.535 Liability  
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 270.545 Rates  
 270.550 Inspection  
 270.555 Payment Due

## SUBPART L: CAMPING: NON-FAIR

Section  
 270.560 Who May Camp  
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Section  
 270.595 Eligibility  
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DEPARTMENT OF AGRICULTURE  
NOTICE OF ADOPTED AMENDMENTS

- Section 270.620 Rates  
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270.635 Reporting  
270.640 Lessee Collection of Fees  
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270.655 Trailer Storage  
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270.665 Restrictions  
270.670 Quarantine Provisions  
270.675 Dogs  
270.680 General Misconduct  
270.685 Track Usage  
270.690 Restrictions on Barn Use
- 5+ Sheep-----10-2/3%  
6+ Goats-----2/3%  
7+ Eight-Horses-and-Ponies-----1%  
8+ Heavy-Horses-----1-1/3%  
b) The Department shall establish and promote contests and exhibitions of various classes of livestock to be known as The "Land of Lincoln Breeders Awards for the Purebred or Registered Livestock." Only animals bred, born and maintained in Illinois and owned and exhibited by Illinois residents shall be eligible to participate in such contests and exhibitions; however, such animals shall be permitted out of this State for a reasonable period of time for showings, exhibitions, breeding or reproductive purposes, or medical treatment (Section 11.1 of the State Fair Act (111-Rev-Stat--1991-CH--127 par--1711-1 (20 ILCS 210/11.1)). For the purposes of determining compliance with this Section, a reasonable period of time for permitting animals to be out of the State for showings, exhibitions, breeding, reproductive purposes or medical treatment shall be a maximum of 90 days during a fiscal year (July 1 through June 30).

(Source: Amended at 21 Ill. Reg. 5530, effective APR 22 1997)

SUBPART J: NON-FAIR SPACE RENTAL:  
BASIC RULES APPLICABLE TO ALL RENTALS

Section 270.485 Non-Exclusivity (Repealed)

Acceptance--of--a contract by the Department does not grant the concessioner or exhibitor exclusivity of the buildings or grounds for the sale or exhibition of said product.

(Source: Repealed at 21 Ill. Reg. 5530, effective APR 22 1997)

DEPARTMENT OF AGRICULTURE  
NOTICE OF ADOPTED AMENDMENTS

- Section 270.620 Rates  
270.625 Rent Payable  
270.630 General Stabling Rules: (Non-Contractual Events)  
270.635 Reporting  
270.640 Lessee Collection of Fees  
270.645 Stall Use  
270.650 Restriction to Assigned Space  
270.655 Trailer Storage  
270.660 Inspection  
270.665 Restrictions  
270.670 Quarantine Provisions  
270.675 Dogs  
270.680 General Misconduct  
270.685 Track Usage  
270.690 Restrictions on Barn Use

AUTHORITY: Implementing and authorized by the State Fair Act (20 ILCS 210); implementing Section 40.14 and authorized by Section 16 of the Civil Administrative Code of Illinois (20 ILCS 5/16 and 40.14).

SOURCE: Adopted at 4 Ill. Reg. 25, p. 34, effective June 11, 1980; amended at 5 Ill. Reg. 1332, effective January 29, 1981; codified at 5 Ill. Reg. 10532; amended at 6 Ill. Reg. 8958, effective July 9, 1982; amended at 8 Ill. Reg. 6103, effective April 25, 1984; emergency amendments at 10 Ill. Reg. 13370, effective July 28, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 14282, effective August 20, 1986; amended at 10 Ill. Reg. 20468, effective November 26, 1986; amended at 11 Ill. Reg. 2228, effective January 20, 1987; amended at 15 Ill. Reg. 455, effective January 2, 1991; amended at 18 Ill. Reg. 9400, effective June 12, 1994; amended at 19 Ill. Reg. 9400, effective June 29, 1995; amended at 21 Ill. Reg. 5530, effective APR 22 1997.

SUBPART D: PREMIUMS AND RULES GOVERNING EXHIBITS OR EVENTS

Section 270.261 Land of Lincoln Breeders Awards for Purebred or Registered Livestock

- a) In accordance with the provisions of Section 11.1 of the State Fair Act, fair management with the advice of the Land of Lincoln Purebred Breeders Association shall set the percentage of the appropriation made for the Land of Lincoln Breeders Awards for Purebred or Registered Livestock for each class or show of livestock and publish these percentages in the Illinois State Fair premium book annually. shall be as follows:
- 1+ Junior-Bivestock-Show-----16-2/3%  
2+ Beef-Cattle-----1%  
3+ Dairy-Cattle-----1%  
4+ Swine-----16-2/3%

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Real Estate Appraiser Certification

2) Code Citation: 68 Ill. Adm. Code 1455

3) Section Number: 1455.15  
Adopted Action: Amendment

4) Statutory Authority: Implementing and authorized by Article 2 of the Real Estate License Act of 1983 [225 ILCS 455/Art. 2].

5) Effective Date of Adopted Amendment: April 18, 1997

6) Does this amendment contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? Yes. The amendment updates an existing incorporation by reference.

8) Date Filed in Agency's Principal Office: April 18, 1997

9) Date Notice of Proposed Amendments was published in Illinois Register: January 17, 1997, 21 Ill. Reg. 793

10) Has JCAR issued a Statement of Objections to this rule? No

11) Differences between proposal and final version: No changes were made.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? JCAR suggested no changes.

13) Will this amendment replace emergency amendments currently in effect? No

14) Are there any other proposed amendments pending on this Part? No

15) Summary and Purpose of Rules: The amendment updates an existing incorporation by reference to the 1996 Uniform Standards of Professional Appraisal Practice (USPAP) to refer to the current 1997 edition of USPAP.

16) Information and questions regarding these Adopted Amendments shall be directed to:

John Arthur  
Legislative Liaison  
Office of Banks and Real Estate  
500 East Monroe, Suite 900  
Springfield, IL 62701  
217/782-3000 fax: 217/524-5941

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

The full text of the Adopted Amendments begins on the next page:

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS  
CHAPTER VIII: OFFICE OF BANKS AND REAL ESTATE

PART 1455

REAL ESTATE APPRAISER CERTIFICATION

SUBPART A: RESIDENTIAL AND GENERAL CERTIFICATION

- Section
- 1455.10 Definitions
  - 1455.15 Uniform Standards of Professional Appraisal Practice
  - 1455.16 Jurisdictional Exceptions/Supplemental Standards
  - 1455.20 Education and Experience Requirements for State Licensed Real Estate Appraiser
  - 1455.30 Education and Experience Requirements for Certified Residential and Certified General Real Estate Appraiser
  - 1455.40 Application as a State Licensed Real Estate Appraiser, Certified Residential Real Estate Appraiser or Certified General Real Estate Appraiser
  - 1455.50 Examination
  - 1455.60 Nonresident Licensure/Certification
  - 1455.70 Nonresident/Temporary Practice
  - 1455.80 Upgrade and Downgrade of Appraiser License/Certification

SUBPART B: EDUCATION PROVIDERS

- Section
- 1455.200 Approval of Education Providers/Courses
  - 1455.205 Appraiser Continuing Education (CE)
  - 1455.210 Fees - Education Providers/Courses (Repealed)

SUBPART C: GENERAL

- Section
- 1455.300 Renewals
  - 1455.305 Fees
  - 1455.310 Granting Variances

AUTHORITY: Implementing Article 2 of the Real Estate License Act of 1983 [225 ILCS 455/Art. 2] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Emergency rules adopted at 16 Ill. Reg. 16196, effective September 30, 1992, for a maximum of 150 days; rules adopted at 17 Ill. Reg. 1589, effective January 26, 1993; emergency amendment at 17 Ill. Reg. 6668, effective April 19, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13494, effective July 30, 1993; amended at 18 Ill. Reg. 2379, effective January 28, 1994; emergency amendment at 18 Ill. Reg. 3006, effective February 10, 1994,

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF ADOPTED AMENDMENTS

for a maximum of 150 days; amended at 18 Ill. Reg. 8428, effective May 24, 1994; amended at 19 Ill. Reg. 9176, effective June 26, 1995; emergency amendment at 19 Ill. Reg. 12503, effective August 16, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 16604, effective December 1, 1995; amended at 20 Ill. Reg. 6488, effective April 30, 1996; recodified from Chapter VII, Department of Professional Regulation, to Chapter VIII, Office of Banks and Real Estate, pursuant to PA 89-23 and PA 89-508, at 20 Ill. Reg. 11984; amended at 21 Ill. Reg. 1685, effective January 27, 1997; amended at 21 Ill. Reg. ~~5538~~, effective APR 18 1997.

SUBPART A: RESIDENTIAL AND GENERAL CERTIFICATION

Section 1455.15 Uniform Standards of Professional Appraisal Practice

- a) The 1997 1996 Uniform Standards of Professional Appraisal Practice (USPAP), effective adopted January 1, 1997 1996, by the Appraisal Standards Board of the Appraisal Foundation, 1029 Vermont Avenue, N.W., Suite 900, Washington, D.C. 20005-3517, are hereby incorporated by reference with no later amendments or editions.
- b) Real Estate Appraisers licensed/certified under the Act shall practice in accordance with USPAP standards except where the standard(s) is contrary to Illinois Law or public policy (USPAP, Jurisdictional Exception). Supplemental standards applicable to appraisals for specific purposes or property types may be issued by public agencies and certain client groups (e.g., regulatory agencies, eminent domain authorities, asset managers and financial institutions), provided that such supplemental standard(s) does not diminish the purpose, intent or content of the requirements of the USPAP.
- c) A copy of USPAP is available for inspection in the Division of Real Estate Appraisal Administration, Office of Banks and Real Estate, located at 500 East Monroe, Suite 500, Springfield, Illinois 62701 and may be purchased at cost from the Office (OBRE), if available; and is available for purchase from the Appraisal Standards Board of the Appraisal Foundation.

(Source: Amended APR 18 1997 21 Ill. Reg. ~~5538~~, effective APR 18 1997)



## ILLINOIS LIQUOR CONTROL COMMISSION

## NOTICE OF ADOPTED RULES

1) Heading of the Part: The Illinois Liquor Control Commission

2) Code Citation: 11 Ill. Adm. Code 100

3) Section Numbers: Adopted Action:

100.10(r)	Add
100.10(s)	Add
100.40	Add
100.50	Amendment
100.70(b)(9)	Amendment
100.170(a)	Amendment
100.280(c)	Amendment
100.330	Amendment
100.340	Amendment
100.350	Amendment

4) Statutory Authority: The Liquor Control Act of 1934 [235 ILCS 5/3-12(2)]

5) Effective Date of Rules (Amendments): May 1, 1997

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rule (amendment) contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: May 1, 1997

9) Notice of Proposal Published in Illinois Register: January 31, 1997, 21 Ill. Reg. 1355

10) Has JCRC issued a Statement of Objections to these rules? No

11) Differences between proposed rules and final version: Section 100.40(b) was changed to be more specific about what information will be on the form provided by the Commission as well as the \$25.00 penalty for late registrations. In addition, various technical, editorial, and grammatical changes have been made in response to recommendations of the Joint Committee on Administrative Rules and the Administrative Code Division.

12) Have all the changes agreed upon by the agency and JCRC been made as indicated in the agreement letter issued by JCRC? Yes

13) Will this rulemaking replace emergency rules currently in effect? No

14) Are there any Amendments pending on this Part? No

15) Summary and Purpose of Amendments:

## ILLINOIS LIQUOR CONTROL COMMISSION

## NOTICE OF ADOPTED RULES

Section 100.10(r) adds a new definition called tasting to allow dissemination of small quantities of alcoholic product at a licensed premise by a licensee or registered tasting representative for educational purposes.

Section 100.10(s) adds a new definition of service bar.

Section 100.40 requires that any non-licensed person wishing to conduct tastings as newly defined in 100.10(r) be registered with the State Liquor Commission.

Section 100.50 updates Federal citations. Section 100.70(b)(9) Allows containers to have labels or statements showing alcoholic content in accordance with the U.S. Supreme Court decision in Rubin v. Coors Brewing Co.

Section 100.170(a) amends to waive the ten foot, tap handle visibility requirement for service bars as newly defined in 100.10(s).

Section 100.280(c) amends to exempt tastings, as newly defined in 100.10(r), from giving away of alcoholic liquor.

Section 100.330 amends to eliminate "or entity having more than a 5% interest in a retail licensee" as redundant; any entity with a 5% or more interest in a retail licensee must be disclosed on a retail license application.

Section 100.340 amends to update new Springfield office address.

Section 100.350 amends to update new Springfield office address.

16) Information and questions regarding these Adopted Amendments shall be directed to:

Arabel Alva Rosales  
Executive Director  
Illinois Liquor Control Commission  
100 W. Randolph St. #5-300  
Chicago, IL 60601  
(312)814-3930

The full text of the Adopted Amendments begins on the next page:

ILLINOIS LIQUOR CONTROL COMMISSION

NOTICE OF ADOPTED RULES

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY

SUBTITLE A: ALCOHOL

CHAPTER I: ILLINOIS LIQUOR CONTROL COMMISSION

PART 100

THE ILLINOIS LIQUOR CONTROL COMMISSION

Section	
100.5	Penalties
100.10	Definitions
100.20	Employment of Minors
100.30	Violation of Federal Law, State Statute or City, Village or County Ordinance or Regulation
100.40	Registration of Tasting Representatives Local--Biquor--Gentrol
100.40	Commissioner's Report--(Repealed)
100.50	Advertising
100.60	Geographical Territories
100.70	Labels
100.80	Bonds (Repealed)
100.90	Credit to Retail Licensees
100.100	Internal Changes Within Corporations
100.110	Application Forms
100.120	Railroad Licenses
100.130	Books and Records
100.140	Miniatures (Repealed)
100.150	Salvaged Alcoholic Liquors
100.160	Sanitation
100.170	Taps
100.180	Procedure Before Commission on Citations
100.190	Procedure Before Commission on Request for Continuance of Any Hearing
100.200	Wagering Stamps (Repealed)
100.210	Inducements
100.220	Retail Licensee Clubs (Repealed)
100.230	Resumption of Business on Appeal
100.240	Transactions Involving Use of Checks and Their Equivalent
100.250	Transfer of Alcohol
100.260	Uniform Systems of Accounts
100.270	Multi-Use Facilities
100.280	Giving Away of Alcoholic Liquors
100.290	Refilling
100.300	Authorization to Remove Bottles
100.310	Food Service at Park Districts
100.320	Airplanes
100.330	Advertising
100.340	Petitions for the Adoption, Amendment or Repeal of a Rule
100.350	Procedures For Filing Appeals From an Order of the Local Liquor Control Commissioner
100.360	Review on Record -- Certification of Ordinance

ILLINOIS LIQUOR CONTROL COMMISSION

NOTICE OF ADOPTED RULES

100.370	Procedures Before the Commission
100.380	Ex Parte Consultations
100.390	Review on Record -- Certification of Ordinance (Renumbered)
100.400	Procedures Before the Commission (Renumbered)
100.410	Ex Parte Consultations (Renumbered)

AUTHORITY: Implementing and authorized by Section 3-12(2) of the Liquor Control Act [235 ILCS 5/3-12(2)].

SOURCE: Rules and Regulations of the Illinois Liquor Commission, amended March 31, 1977; amended July 7, 1977; amended at 3 Ill. Reg. 12, p. 65, effective March 22, 1979; codified at 5 Ill. Reg. 10706; amended at 8 Ill. Reg. 6041, effective April 19, 1984; amended at 12 Ill. Reg. 19387, effective November 7, 1988; amended at 18 Ill. Reg. 4811, effective March 9, 1994; amended at 20 Ill. Reg. 834, effective January 2, 1996; expedited correction 20 Ill. Reg. 4469, effective January 2, 1996; amended at 21 Ill. Reg. 5542, effective

May 01 1997

Section 100.10 Definitions

The following words or phrases are defined as follows:

- "Resident" means any person (other than a corporation) who has resided and maintained a bona fide residence in the State of Illinois for at least one year and in the city, village or county in which the premises covered by the license are located for at least 90 days prior to making application for such license.
- "Corporation" means any corporation, domestic or foreign, qualified to do business in the State of Illinois under the Business Corporation Act of 1983 [805 ILCS 5], including a Limited Liability Company as defined in subsection (m) below.
- "Person" includes corporations, co-partnerships, associations, clubs, individuals, trustees, receivers, assignees, executors, administrators or other personal representatives of decedents.
- "Co-partnership" means an association of two or more persons to carry on as co-owners of a business for profit.
- "Partner" is any individual who is a member of a co-partnership.
- "Manager" or "Agent" means any individual employed by any licensed place of business, provided said individual possesses the same qualifications required of the licensee. Satisfactory evidence of such employment will be furnished the Commission in the form and manner as such Commission shall from time to time prescribe.
- "Premises" or "place of Business" means the place or location where alcoholic beverages are manufactured, stored, displayed, offered for sale or where drinks containing alcoholic beverages are mixed, concocted and served for consumption. Not included are sidewalks, streets, parking areas and grounds adjacent to any such place or location.
- "Wine" means any alcoholic beverage obtained by the fermentation of

## ILLINOIS LIQUOR CONTROL COMMISSION

## NOTICE OF ADOPTED RULES

*the natural contents of fruits or vegetables, containing sugar, including such beverages when fortified by the addition of alcohol or spirits, as defined in the Act, provided that the alcoholic content thereof does not exceed 24 per cent of alcohol by volume. [235 ILCS 5/1-3.03]*

- i) "Alcoholic liquor liquor" includes alcohol, spirits, wine and beer, and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer, and, in the judgment of the State Commission, capable of being consumed as a beverage by a human being. The word "solid" means any substance which, by dilution or processing, becomes an alcoholic beverage.
- j) "Manufacturer" shall include every person who, in the process of filling or refilling an original package with alcoholic liquors purchased by such person, changes the degree or quality of such alcoholic liquors by any manner or means whatsoever.
- k) "Airplane" shall be deemed to include railroads and airplanes.
- l) "Act" means the Illinois Liquor Control Act [235 ILCS 5].
- m) "Limited Liability Company" means a legal business entity created and recognized under the Illinois Limited Liability Company Act [805 ILCS 180].
- n) "Meal" means food that is prepared and served on the licensed premises and excludes the serving of snacks.
- o) "Event" means a single theme.
- p) "Sampling" means a product offered at an off-premise retail licensee for a sales promotion of no more than the following amounts: Distilled Spirits 1/2 oz., Wine 2 oz., and Beer 6 oz.; only one product per day may be sampled and the sales promotion may not be advertised.
- q) "Test Marketing" means to test new products or products unfamiliar to the sampler through a marketing firm or the like.
- r) "Tasting" means a supervised presentation of alcoholic products to the public at an off-premise licensed retailer for the purpose of disseminating product information and education, with consumption of alcoholic products being an incidental part thereof. Only products registered with the State Commission may be tasted in the following amounts: Distilled Spirits 1/4 oz., Wine 1 oz., and Beer 2 oz.; notice of the tasting may be given. Tasting must be done by a licensee and/or a registered tasting representative in accordance with Section 100.40.
- s) "Service Bar" means a place or location not within view of the general public where beer and wine may be poured and served through a draught system. A service bar may only be located in a kitchen, food preparation area, or wait or server station area of a retail licensee who primarily serves meals, as described in Section 100.10(n).

(Source: Amended at 21 Ill. Reg. 5542, effective MAY 01 1997)

## ILLINOIS LIQUOR CONTROL COMMISSION

## NOTICE OF ADOPTED RULES

# Section 100.40 Registration of Tasting Representatives Local-Biquor-Control Commission's Report-(Repeated)

- a) Any non-licensee wishing to conduct a tasting pursuant to Section 100.10(r) must register with the State Commission. A registered tasting representative acts as the agent of the licensee.
- b) Registration is fulfilled by submitting a Commission form including the name, address and telephone number of the registrant; name, address and telephone number of the licensee for which the registrant will be acting; and any other licensee being represented; and a \$100 administrative fee payable annually to the Commission. Registration shall be completed at least 14 days prior to the initial tasting. Any application received less than 14 days prior to the initial tasting will be assessed a \$25 late fee.
- c) Registration identification, or a copy thereof, must be available for inspection during a tasting.

(Source: Section repealed at 8 Ill. Reg. 6041, effective April 19, 1994; new section added at 21 Ill. Reg. 5542, effective MAY 01 1997)

## Section 100.50 Advertising

- a) General Requirements:  
Federal Alcohol Administration Regulation No. 4 relating to the advertising of wine (27 C.F.R. Section 4 (1997+995)), no subsequent dates or editions), Federal Alcohol Administration Regulation No. 5 relating to the advertising of distilled spirits (27 C.F.R. Section 5 (1997+995)), no subsequent dates or editions) and Federal Alcohol Regulation No. 7 relating to the advertising of malt beverages (27 C.F.R. Section 7 (1997+995)), no subsequent dates or editions), are hereby adopted and made a part of this Section for advertising of wine, distilled spirits and malt beverages insofar as the federal regulations are not contrary to, or inconsistent with, the provisions of the laws of Illinois or this Part.
- b) Advertising:
  - 1) No licensee, or the agent or representative thereof, may advertise any alcoholic beverage in any medium intended for circulation, viewing or listening within this State unless such advertisement is in conformity with the provisions of this Part.
  - 2) Such advertisement shall conform to the approved label upon the immediate container of the alcoholic liquor so advertised.
  - 3) Such advertisements shall not contain illustrations of children nor shall they make use of any material which would make a special appeal to juveniles.
  - 4) Such advertisements shall not contain any material which is false or untrue in any respect.



## ILLINOIS LIQUOR CONTROL COMMISSION

## NOTICE OF ADOPTED RULES

(Source: Amended at 21 Ill. Reg. 5542, effective MAY 11 1997)

## Section 100.70 Labels

a) No manufacturer, nonresident dealer, distributor or importing distributor shall sell or deliver any package or container containing alcoholic liquor manufactured or delivered by such person unless the same is labeled in conformity with this Section.

b) General requirements and Restrictions:

1) Federal Alcohol Administration Regulations Nos. 4, 5 and 7 relating to the labeling of wine, distilled spirits and malt beverages (27 C.F.R. Section 4, 5, and 7, April 1997 1995, not including any later amendments or editions), are hereby adopted and made a part of this Section for labeling every package or container of wine, distilled spirits and malt beverages, with the following exceptions:

A) Wine includes all products as defined in Section 1-3.03 of the Act [235 ILCS 5/1-3.03] and Section 100.10(h) of this part.

B) Alcoholic content must be stated on all wine labels.

2) The aforesaid regulations shall apply to wine, distilled spirits and malt beverages packaged purely for intrastate commerce within the State of Illinois to the same extent as though intended for interstate or foreign shipment.

3) No manufacturer, nonresident dealer, distributor or importing distributor shall affix any label to any package or container containing alcoholic liquor for sale or delivery in the State of Illinois until such label has been submitted to and approved by the federal government. Such manufacturer, nonresident dealer, distributor or importing distributor shall submit to the Illinois Liquor Control Commission a photostatic copy of the federal label approval.

4) No package or container containing alcoholic liquor labeled as "whiskey" or "gin" may be imported into, delivered or sold in the State of Illinois unless the entire alcoholic content thereof, except flavoring materials, is a distillate of fermented mash of grain or mixtures of grains. Packages or containers of alcoholic liquor of the type of whiskey or gin not conforming to the requirement must be labeled "imitation whiskey" or "imitation gin", as the case may be.

5) Wine Labels

A) Wine labels must contain the name and address of the manufacturer or the bottler of the product.

B) For the purpose of this Section, the use of an assumed trade name which has been registered with the Clerk of the County in which the manufacturer or bottler is located, is acceptable.

## ILLINOIS LIQUOR CONTROL COMMISSION

## NOTICE OF ADOPTED RULES

6) Malt Beverage Labels  
A) Malt beverage labels must contain the name and address of the brewery which manufactured or canned or bottled the product.

B) For the purpose of this Section, the use of an assumed trade name which has been registered with the Clerk of the County in which the manufacturer or bottler is located, is acceptable.

7) Distilled Spirits Labels

A) Labels of all alcoholic liquors other than wine and malt beverages must contain either the phrase "Bottled By" or "Distilled By" (or other descriptive identification of the manufacturer of the product) followed by the name and address of the bottler or manufacturer, as the case may be.

B) For the purpose of this Section, the use of an assumed trade name which has been registered with the Clerk of the County in which the manufacturer or bottler is located, is acceptable.

8) No statement of age shall be made with respect to gins, cordials, liqueurs or specialties.

9) ~~No person shall sell or offer for sale in this State any bottle of beer, keg or other container of beer which shall have affixed thereto any label or statement showing the alcoholic content thereof.~~

9) The Commission shall withhold approval of any label if it has reasonable cause to believe that the wording or design contained on the label may, in any manner, tend to deceive the purchaser as to the true nature of such alcoholic liquor.

(Source: Amended at 21 Ill. Reg. 5542, effective MAY 11 1997)

## Section 100.170 Taps

a) Each retail licensee selling malt beverages or wine on draught for consumption on the premises, shall display a sign on, over or near each tap or faucet showing the trade-mark, brand or name of alcoholic liquor. This sign must be visible to patrons for a distance of at least ten feet unless it is a service bar as defined in Section 100.10(s).

b) No licensee shall substitute any other brand of malt beverages or wine in place of the brand designated by such visible sign and the licensee shall be prepared at all times to serve any malt beverages or wine that are advertised by such sign or signs upon the premises.

(Source: Amended at 21 Ill. Reg. 5542, effective MAY 11 1997)

## ILLINOIS LIQUOR CONTROL COMMISSION

## NOTICE OF ADOPTED RULES

## Section 100.280 Giving Away of Alcoholic Liquors

- a) No licensee, individual, partnership or corporation shall give away any alcoholic liquor for commercial purposes or in connection with the sale of non-alcoholic products or to promote the sale of non-alcoholic products.
- b) No licensee, individual, partnership, or corporation shall advertise or promote in any way, whether on or off licensed premises, any of the practices prohibited under subsection (a) above. This includes, but is not limited to, advertisements using the words "free" or "complimentary" with alcoholic liquor.
- c) Subsection (a) above shall not apply to sampling, or test marketing or tasting.

(Source: Amended at 21 Ill. Reg. 5542, effective MAY 11 1997)

## Section 100.330 Advertising

- a) Pursuant to Sections 6-4, 6-5, and 6-6 of the Act [235 ILCS 5/6-4, 6-5, and 6-6], no retail licensee ~~or entity having more than a 5% interest in a retail licensee~~ shall have any direct or indirect interest in or control of any advertising or promotional company which receives funds directly or indirectly from, or for the account of, any manufacturer, non-resident dealer, broker, distributor, importing distributor or foreign importer of alcoholic beverages; nor shall any manufacturer, non-resident dealer, broker, distributor, importing distributor or foreign importer make any payment, direct or indirect, to any retailer or any other entity which provides advertising, promotional or display services for retailers in consideration of any advertising or promotional efforts of any kind not allowed under the Illinois Liquor Control Act or the rules and regulations of the Commission.
- b) Nothing herein shall prohibit any manufacturer, non-resident dealer, distributor, importing distributor, or foreign importer from sponsoring an event at a venue which sole purpose is to host live entertainment, provided that no indirect or direct payment is made to the retailer and that any reference to the retailer in any advertising is incidental to the event itself.
- c) Subsections (a) and (b) above do not apply to a person holding a special event retailer's license.

(Source: Amended at 21 Ill. Reg. 5542, effective MAY 11 1997)

## Section 100.340 Petitions for the Adoption, Amendment or Repeal of a Rule

Pursuant to Sections 3-12 and 3-13 of the Act [235 ILCS 5/3-12 and 3-13]

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~~formerly Chapter 43, Illinois Revised Statutes, paragraphs 100-1 and 100-7~~ and Article 5 of the Illinois Administrative Procedure Act [5 ILCS 100/Art. 5]:

- a) Any interested person may petition this Commission requesting the adoption, amendment or repeal of a rule. Such petition shall be submitted in writing to the Illinois Liquor Control Commission, James R. Thompson Center, 100 W. Randolph St., Suite 5-300, Chicago, Illinois 60601, or 222 S. College ~~900 West Monroe Street, 1st Floor, Springfield, Illinois 62704~~. Six copies of each petition along with any supporting documents shall be submitted in the following form:
  - 1) Petition for (Adoption, Amendment, Repeal) of (a) Rule (Rule No. if Applicable) of the Illinois Liquor Control Commission.
  - 2) I, (Name of Interested Party), do hereby petition the Illinois Liquor Control Commission to (Adopt, Amend, Repeal) (a) Rule (Rule No. if Applicable) for the following reasons:
    - 3) (State reasons as fully as possible. Attach or include any documentation for your reasons.)
  - b) If the petition is for the Adoption or Amendment of a Rule, attach a draft of the proposed adopted or amended Rule which you feel will adequately deal with the reasons you outlined for adoption or amendment.
  - c) All such petitions shall be signed by the petitioner and shall state his or her address and phone number. A petition shall also state whether the petitioner is a licensee of this Commission or not, and whether they are related to or connected with any licensee of this Commission, and if so, in what capacity.
  - d) Upon receipt of a petition in the proper form, such petition will be considered by the Commission. If the petition is granted, the petitioner will be notified in writing and the Commission shall initiate rule-making proceedings in accordance with Article 5 of the Illinois Administrative Procedure Act [5 ILCS 100/Art. 5] and 2 Ill. Adm. Code 2075.100.
  - e) If, within 30 days after submission of a petition, the Commission has not initiated rule-making proceedings in accordance with Article 5 of the Illinois Administrative Procedure Act [5 ILCS 100/Art. 5] and 2 Ill. Adm. Code 2075.100, the petition shall be deemed to have been denied.

(Source: Amended at 21 Ill. Reg. 5542, effective MAY 11 1997)

## Section 100.350 Procedures For Filing Appeals From an Order of the Local Liquor Control Commissioner

Pursuant to Sections 3-12 and 3-13 of the Act [235 ILCS 5/3-12 and 3-13] and Section 10-25 of the Illinois Administrative Procedure Act [5 ILCS 100/10-25]:

- a) In all cases where an appeal from an order or action of the local liquor control commissioner is filed with this Commission, the party filing the appeal shall furnish, along with the petition to appeal:

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- 1) a copy of the citation and notice of hearing before the local liquor control commissioner, if any;
- 2) a copy of the decision or order of the local liquor control commissioner;
- 3) a copy of any local ordinances charged to be violated;
- 4) the current State Retail Liquor License number of the establishment involved;
- 5) a statement indicating whether or not the licensee has, within the last 12 month period, had a suspension or revocation placed upon said licensee, and if so, all the details relating thereto.
- b) In all cases where an appeal is to be heard upon the record, a certified official record of the proceedings taken and prepared by a certified court reporter, along with all exhibits, shall be filed by the local liquor control commissioner within 5 days after notice of the filing of such appeal, if the appellant licensee pays for the transcript and five additional copies.
- c) The parties shall file six copies of any documents filed in connection with the said appeal.
- d) Upon notice to the local liquor control commissioner that an appeal has been accepted by this Commission, Section 100.230 of the Illinois Liquor Control Commission shall become effective, when applicable.
- e) All materials filed with this Commission shall be served upon the opposing party, or parties in interest.
- f) Proof of service upon the opposing party or parties in interest shall accompany all materials filed with this Commission and served upon such parties.
- g) All material filed with this Commission shall be filed at James R. Thompson Center, 100 West Randolph Street, Room 5-300, Chicago, Illinois 60601 or 222 S. College 300-West-Monroe Street, 1st Floor, Springfield, Illinois 62704 62766.

(Source: Amended at 21 Ill. Reg. \_\_\_\_\_, effective MAY 1, 1997)

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## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Commercial Fishing in Lake Michigan
- 2) Code Citation: 17 Ill. Adm. Code 850
- 3) Section Numbers: Adopted Action:  
850.20 Amendments  
850.50 Amendments  
850.80 Amendments
- 4) Statutory Authority: Implementing and authorized by Sections 1-10, 1-80, 1-120, 1-125, 1-135, 1-150, 20-35, 20-45, 20-105 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-10, 1-80, 1-120, 1-125, 1-135, 1-150, 20-35, 20-45, 20-105 and 25-5].
- 5) Effective Date of Rulemaking: April 19, 1997
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date filed in Agency's Principal Office: April 18, 1997
- 9) Notice of Proposal Published in Illinois Register: January 3, 1997, 21 Ill. Reg. 322
- 10) Has JCAR issued a Statement of Objections to these rules? The Joint Committee on Administrative Rules issued a filing prohibition on this Part, effective March 20, 1997, and published in the April 4, 1997 Illinois Register. On April 15, 1997, JCAR issued a Withdrawal of Filing Prohibition of Proposed Rulemaking on this Part.
- 11) Difference(s) between proposal and final version:  
In Section 850.20(b), "1st" was changed to "1" and "31st" was changed to "31".  
In Section 850.50, "1st" was changed to "1" and "31st" was changed to "31".  
In Section 850.50(b)(1), "such" was changed to "the" and "said" was changed to "the".  
In Section 850.50(b)(2), "Such" was changed to "The".  
In Section 850.50(b)(3), "said" was changed to "the", "ten (10)" changed to "10" and "of" changed to "after".  
In Section 850.50(c) "State" was capitalized, and a comma was added



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following "redesignation".

In Section 850.50(e), "his" and "due" were deleted.

In Section 850.50(f), "his" was changed to "the".

In Section 850.50(g), a comma was added following "harvested".

In Section 850.50(h), "his" was changed to "the".

In Section 850.50(j), "captain" was placed in lower-case letters.

In Section 850.80(a), "the following" was added prior to "violations"; "of the following provisions" was deleted; and "(1)" was deleted.

In Section 850.80(a)(7), "other" was deleted and the semi-colon following "plan" was changed to a period.

In Section 850.80(b), "the Lake Michigan Commercial Fishing Rule" was replaced with "this part".

In Section 850.80(c), "hereunder" was replaced with "under this part".

In Section 850.80(e), "Governing" and "Conducted" were capitalized.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rulemaking replace an emergency rule currently in effect? No

14) Are there any amendments pending on this part? No

15) Summary and Purpose of Rulemaking: The Department amended Section 850.20 to close the harvest of yellow perch because the supply of yellow perch has continued to decline dramatically throughout the southern portion of Lake Michigan due to greatly diminished reproductive success. In Sections 850.20 and 850.80 the requirement to harvest at least 40% of the annual license quota is being dropped, since commercial fishermen will only be able to fish for bloater chubs.

16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price  
Department of Natural Resources  
524 S. Second Street, Room 430  
Springfield, IL 62701-1787  
217/782-1809

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

The full text of the Adopted Amendments begins on the next page:

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION  
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES  
SUBCHAPTER b: FISH AND WILDLIFE

PART 850  
COMMERCIAL FISHING IN LAKE MICHIGAN

Section	
850.5	Introduction
850.10	Possession and Identification of Gear
850.20	Quota
850.25	Seasons
850.30	Restricted Commercial Fishing Areas
850.40	Limited Entry
850.50	License Eligibility and License Provisions
850.60	Application for License
850.80	Suspension or Revocation

**AUTHORITY:** Implementing and authorized by Sections 1-10, 1-80, 1-120, 1-125, 1-135, 1-150, 20-35, 20-45, 20-105 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-10, 1-80, 1-120, 1-125, 1-135, 1-150, 20-35, 20-45, 20-105 and 25-5].

**SOURCE:** Adopted at 3 Ill. Reg. 44, p. 46, effective November 1, 1979; codified at 6 Ill. Reg. 877; amended at 6 Ill. Reg. 3846, effective March 31, 1982; amended at 7 Ill. Reg. 2711, effective March 2, 1983; amended at 8 Ill. Reg. 7220, effective May 15, 1984; emergency amendment at 9 Ill. Reg. 4854, effective April 2, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 6179, effective April 23, 1985; amended at 10 Ill. Reg. 9789, effective May 21, 1986; amended at 12 Ill. Reg. 7996, effective April 25, 1988; amended at 16 Ill. Reg. 11029, effective June 30, 1992; emergency amendment at 16 Ill. Reg. 12626, effective July 24, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 18967, effective December 1, 1992; emergency amendment at 17 Ill. Reg. 17263, effective September 23, 1993, for a maximum of 150 days; emergency expired February 20, 1994; amended at 18 Ill. Reg. 5834, effective April 5, 1994; emergency amendment at 19 Ill. Reg. 5257, effective April 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10568, effective July 1, 1995; recodified by changing the name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 21 Ill. Reg. 5553 = z effective APR 1 1997.

## Section 850.20 Quota

- a) Harvest quotas will be reviewed annually and will be established by the Department for each license fishing year taking into consideration the condition and supply of Lake Michigan fish stocks.
- b) For each license year beginning April 1<sup>st</sup> and ending March 31<sup>st</sup>, annual total harvest quota of 0 1207000 pounds (round weight) of

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yellow perch and 125,000 pounds (dressed weight) of bloater chubs will be permitted. These annual total harvest quotas shall be divided equally among each licensee at the beginning of each license year. Upon reaching their share of the annual harvest quota for each species, each commercial license holder shall terminate fishing for that species for the remainder of the current license year. It shall be unlawful to possess other species except smelt and alewife incidentally caught in bloater chub and yellow perch gill nets, fished in compliance with this Part and the Illinois Fish and Aquatic Life Code. All other species must be removed immediately from the gill nets as they are brought on board the vessel and returned to the water at once in the same condition as taken.

(Source: Amended at 21 Ill. Reg. 5553, effective APR 1 1997)

## Section 850.50 License Eligibility and License Provisions

Lake Michigan Commercial Fishing License commences April 1<sup>st</sup> and expires March 31<sup>st</sup> and shall be valid for a period of 3 years. To be eligible for a license to fish commercially during a given fishing license year, the applicant, license holder, must meet the following requirements:

- a) Be an individual who has actually resided in Illinois for one year immediately preceding his application for a license to be allowed to fish commercially and who does not claim residency for commercial fishing purposes in another state or country.
- b) Be a corporation incorporated in Illinois for at least one year immediately preceding the application for a license to fish commercially during a given fishing year, or a corporation incorporated in Illinois by a currently licensed Lake Michigan Commercial Fisherman.
  - 1) All stockholders of the such corporations shall have been Illinois residents for at least one year immediately prior to owning any stock or interest in the said corporation, and remain in Illinois residents as long as they own such stock or interest.
  - 2) Individuals licensed as Lake Michigan Commercial Fisherman who wish to place the license into corporate control must own a controlling interest in the corporation (owns or controls more than 50%) at the time of transfer. The Such corporations need not have been in existence for one year, but must meet all other requirements.
  - 3) All transfer of ownership interest in the said corporation must be reported to the Department within ten(10) days after of transfer.
  - 4) No such corporation may be wholly or partially owned by another corporation, and no individual shall own any part of more than one business entity holding a Lake Michigan Commercial Fishing License.

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c) Have ownership or legal control of a vessel of at least 12 net tons as documented by the U. S. Coast Guard, showing an Illinois port of registration, having valid United States Coast Guard documentation in full force and effect, and in compliance with all State ~~state~~ requirements established for such vessels in the Boat Registration and Safety Act [625 ILCS 45]. Any request for redesignation of a fishing vessel to be used by the license holder must be submitted in writing to and approved in writing by the Chief, Division of Fisheries. Approval will be granted if the requested vessel meets the U.S. Coast Guard documentation requirements and the license holder has a valid reason for redesignation, such as loss or damage of the designated vessel or purchase of another vessel. Such requests must clearly state the reasons for redesignation, and the anticipated period of use and shall be accompanied by a copy of the United States Coast Guard document for the requested vessel. Use of the vessel designated in Illinois for commercial fishing purposes in another state shall, upon verification, nullify the designated status of the vessel for commercial fishing purposes in Illinois.

d) Have at least 6,000 feet of properly licensed gill netting possessing a diagonal stretched mesh measurement between 2-3/8 inches through 2-3/4 inches.

e) Agree to keep accurate daily records of his catch and must submit catch reports monthly ~~due~~ to the Department by the 15th day of the following month on forms furnished by the Department (whether licensee did or did not catch fish). All monthly catch reports must be signed by the licensee or corporate chief executive officer. Failure to submit the required catch reports shall be grounds for suspension or revocation of the Lake Michigan Commercial Fishing License.

f) Submit a yearly operational plan by months clearly identifying the port from which the ~~his~~ vessel will operate and the exact location at which all harvested fish will be transferred from the vessel to shore. Transfer of fish from the license vessel to another vessel or to shore at any other location not identified in the yearly operational plan shall be grounds for suspension or revocation of the Lake Michigan commercial fishing license.

g) ~~Commercially-fish-at-least-40%-of-the-annual-license-quota-per-license fishing-year.~~

g) Permit Department biologists and Conservation Police Officers to obtain information from fish harvested, such as lengths, weights, scale samples, sex, etc., as deemed necessary for management of Lake Michigan fish stocks.

h) License all of the ~~his~~ commercial equipment as required by the Illinois Fish and Aquatic Life Code and this Part. A license holder shall not fish under the commercial fishing license of another person.

i) The captain of commercial fishing crews on board the vessel must be a resident of the State of Illinois in accordance with the definition in Section 1.3 of the Illinois Fish and Aquatic Life Code.

j) The licensee shall notify the Chief, Division of Fisheries, of any

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changes (except captain) in commercial fishing crew members in writing within 14 days after the change. Changes in captains requires prior written Department approval by the Chief, Division of Fisheries, and all such requests must be submitted in writing to the Chief, Division of Fisheries. Approval will be given if the captain meets the requirements set forth in this Section.

k) A copy of the Lake Michigan Commercial Fishing license and a current listing of the captain and designated crew must be kept on board the fishing vessel at all times during the commercial fishing operations.

l) The licensee or the designated captain of the commercial fishing crew must be on board the vessel at all times during the commercial fishing operations. The licensee shall remain responsible for all obligations owed to the State of Illinois relating to the license, whether the licensee is on board the vessel or not.

(Source: Amended at 21 Ill. Reg. 5553, effective APR 1 1997)

## Section 850.80 Suspension or Revocation

a) In accordance with 515 ILCS 5/20-105, ~~violations-of~~ the following ~~Violations provisions~~ will result in suspension or revocation of the Lake Michigan commercial fishing license for a period of not less than one ~~1~~ year:

- 1) Taking and possessing any species other than bloater chub, yellow perch, smelt and alewife;
- 2) Use of any commercial fishing devices other than gill nets having meshes not more than 2 3/4 inch diagonal stretched measurement nor less than 2 3/8 inch diagonal stretched measurement;
- 3) Commercial fishing in a restricted area;
- 4) Falsification of license eligibility requirements and/or application for license information;
- 5) Failure to submit catch reports or submitting falsified catch reports;
- 6) Exceeding harvest quota;
- 7) Transferring fish from the license vessel to other vessels or to shore at any other location not identified in the yearly operational plan.

b) ~~Violation-of--850-50(k)--(failure-to-commercially-fish-at-least-40%-of-annual-license-quota-per-license-year)--shall-result-in--revocation--of-the--Lake--Michigan--Commercial-Fishing-License--unless-the-license-has-been-suspended-for-a-period-of-one-year-or-longer-under-provisions--of-Section-850-80-of-this-Part--the-licensee-shall-have-his-name-deleted-from-the-current-list-of-eligible-candidates.~~

b) Violations of any other provisions of this Part ~~the Lake Michigan Commercial Fishing Rule~~ or the Illinois Fish and Aquatic Life Code pertaining to commercial fishing on Lake Michigan may also result in suspension or revocation of the Lake Michigan commercial fishing



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c) An act or omission which constitutes a violation under this Part

~~hereunder~~ committed by an officer, employee or agent of a corporation shall be deemed the act or omission of the corporation, and the employee, agent, officers and shareholders may be suspended from engaging in Lake Michigan Commercial Fishing or owning any part of or being employed by such corporation for a period not to exceed five years, in addition to the suspension or revocation of the Lake Michigan Commercial Fishing License.

d) In the event of a license suspension, the suspended licensee shall not be permitted to apply for a Lake Michigan commercial fishing license until the period of suspension has expired. In the event of a revoked license, the revoked licensee shall forfeit his license and shall have his name deleted from the list of eligible candidates. Revoked licensees shall not be permitted to apply for a Lake Michigan commercial fishing license until the period of revocation has expired. Revoked licensees making reapplication for a license shall be subject to all licensing provisions at the time of reapplication and shall have their name added to the current list of eligible candidates according to the lottery procedures as described in Section 850.40(b). The procedure by which suspensions and revocations are made; the rights of licensees to notice and hearing; and the procedures governing such hearings are set forth in 17 Ill. Adm. Code 2530 (Rules Governing governing Department Formal Hearings Conducted for Rule-Making and Contested Cases).

(Source: Amended at 21 Ill. Reg. ~~5553~~ effective APR 14 1996)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: White-Tailed Deer Hunting By Use of Bow and Arrow
- 2) Code Citation: 17 Ill. Adm. Code 670
- 3) Section Numbers: Adopted Action:  
670.40 Amendments  
670.60 Amendments
- 4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5, and 3.36 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36].
- 5) Effective Date of Rulemaking: April 19, 1997
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date filed in Agency's Principal Office: April 18, 1997
- 9) Notice of Proposal Published in Illinois Register: January 10, 1997, 21 Ill. Reg. 520
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version:  
In Section 670.40(c), "checking" was changed to "check out".  
In Section 670.60(h), the following site was added: "Goose Lake Prairie State Park (designated areas only)"  
In Section 670.60(i), Clinton Lake, "and Mascoutin areas" was deleted.  
In Section 670.60(j), the period following "season" was changed to a semi-colon; a semi-colon was added following "3:00 p.m."; and the period at the end of the subsection was removed.  
In Section 670.60(k), the last sentence was deleted and the following sentence was added: Only antlerless deer may be taken. First 50 hunters to harvest a doe will be granted automatic selection for first 50 openings in the next year's hunt."  
In Section 670.60(k), Clinton Lake, "and Mascoutin" was deleted and "areas" changed to "area".
- 12) Have all the changes agreed upon by the agency and JCAR been made as

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indicated in the agreement letter issued by JC&R? Yes

- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Amendments to this Part eliminate the need for hunters to record their Firearm Owner's Identification number, hunting license number, and physical description on the deer hunting permit; add language allowing hunters to tag deer on the antlers instead of the leg to facilitate handling by the taxidermist; clarify the difference between a permanent and a temporary harvest tag; and open new sites to hunting.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price  
Department of Natural Resources  
524 S. Second Street, Room 430  
Springfield, IL 62701-1787  
217/782-1809

The full text of the Adopted Amendments begins on the next page:

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TITLE 17: CONSERVATION  
CHAPTER 1: DEPARTMENT OF NATURAL RESOURCES  
SUBCHAPTER b: FISH AND WILDLIFE

## PART 670

## WHITE-TAILED DEER HUNTING BY USE OF BOW AND ARROW

## Section

- 670.10 Statewide Open Seasons and Counties  
670.20 Statewide Deer Permit Requirements  
670.21 Deer Permit Requirements - Landowner/Tenant Permits  
670.30 Statewide Legal Bow and Arrow  
670.40 Statewide Deer Hunting Rules  
670.50 Rejection of Application/Revocation of Permits  
670.55 Reporting Harvest  
670.60 Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36].

SOURCE: Adopted at 5 Ill. Reg. 8888, effective August 25, 1981; codified at 5 Ill. Reg. 10641; emergency amendment at 5 Ill. Reg. 11402, effective October 14, 1981, for a maximum of 150 days; emergency expired March 13, 1982; amended at 6 Ill. Reg. 10721, effective August 20, 1982; emergency amendment at 6 Ill. Reg. 15581, effective December 14, 1982, for a maximum of 150 days; emergency expired May 13, 1983; amended at 7 Ill. Reg. 10790, effective August 24, 1983; amended at 8 Ill. Reg. 19004, effective September 26, 1984; amended at 9 Ill. Reg. 14317, effective September 9, 1985; amended at 10 Ill. Reg. 16658, effective September 22, 1986; amended at 11 Ill. Reg. 2275, effective January 20, 1987; amended at 12 Ill. Reg. 12042, effective July 11, 1988; amended at 13 Ill. Reg. 12839, effective July 21, 1989; amended at 14 Ill. Reg. 14787, effective September 4, 1990; amended at 14 Ill. Reg. 19859, effective December 3, 1990; amended at 15 Ill. Reg. 10021, effective June 24, 1991; amended at 15 Ill. Reg. 16691, effective October 31, 1991; amended at 16 Ill. Reg. 11116, effective June 30, 1992; amended at 17 Ill. Reg. 286, effective December 28, 1992; amended at 17 Ill. Reg. 13452, effective July 30, 1993; amended at 18 Ill. Reg. 5842, effective April 5, 1994; amended at 19 Ill. Reg. 7560, effective May 26, 1995; amended at 19 Ill. Reg. 15411, effective October 26, 1995; amended at 20 Ill. Reg. 6723, effective May 6, 1996; amended at 21 Ill. Reg. 5361, effective APR 14 1997.

## Section 670.40 Statewide Deer Hunting Rules

- a) The bag limit is one deer per legally authorized either-sex, antlered-only or antlerless-only permit. All either-sex permits and antlered-only permits are subject to the following restriction: no hunter, regardless of the quantity or type of permits in his/her

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possession, may harvest more than 2 antlered deer during the archery season. A hunter in possession of an either-sex permit after having harvested 2 antlered deer during the archery season may only use the permit to harvest an antlerless deer. Subject to this restriction, an either-sex permit holder is allowed to take a deer with or without antlers; and an antlered-only permit holder is allowed to take only a deer having at least one antler of a length of 3 or more inches. An antlerless-only permit holder is allowed to take only a deer without antlers or a deer having antlers less than 3 inches long.

b) Recipients of the single either-sex or landowner/tenant Archery Deer Hunting Permit shall record their signature, ~~hunting-license-number~~ ~~(unless-exempt)-and-physical-description~~ on the permit and must carry it on their person while hunting. Holders of combination OTC permits shall record their name and address on the check station tag portions of their permit and must carry it on their person while hunting.

c) The temporary harvest tag shall be attached and properly sealed immediately upon kill and before the deer is moved, transported or field dressed. No person shall leave any deer that has been killed without properly attaching the temporary harvest tag to the deer. The temporary harvest tag should be attached around the base of the antler of antlered deer (antlers 3 or more inches in length), and attached to the leg of antlerless deer (<3 inch antler length, or no antlers). A permanent harvest tag will be attached to the leg of the deer upon check out at the check station. If the head/antlers are delivered to a taxidermist for processing, the temporary harvest tag must accompany them and be kept with the head/antlers while at the taxidermist. If the carcass is taken to a meat processor, the permanent harvest tag must remain attached to the leg of the deer until it is processed, then must remain with the processed deer until it is at the legal residence of the person who legally took or possessed the deer. Persons delivering deer/parts of deer to a ~~taxidermist~~-or tanner for processing must supply the ~~taxidermist~~-or tanner with their deer permit number to verify lawful acquisition. In the absence of a permit number, the ~~taxidermist~~-or tanner may rely on the written certification of the person from whom the deer was received that the specimen was legally taken or obtained.

d) Hunters shall not have in their possession, while in the field during archery deer season, any deer permit issued to another person (permits are non-transferable).

e) Permits will not be re-issued in cases involving deer taken which are found to be diseased or spoiled due to previous injury. Legal disposal of unfit deer taken shall be the responsibility of the hunter.

(Source: Amended at 21 Ill. Reg. 5561, effective APR 14 1997)

Section 670.60 Regulations at Various Department-Owned or -Managed Sites

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a) All the regulations in 17 Ill. Adm. Code 510 (General Hunting and Trapping) apply in this Section, unless this Section is more restrictive.

b) Only one tree stand is allowed per deer permit holder. Tree stands must comply with restrictions listed in 17 Ill. Adm. Code 510.10(c)(3) and must be portable. Tree stands must be removed at the end of each day with the exception that tree stands may be left unattended from September 15 through January 31 at those sites listed in this Section that are followed by a (1).

c) Check-in, check-out, and reporting of harvest is required at those sites listed in this Section that are followed by a (2).

d) Where standby hunters are used to fill quotas, a drawing will be held at sites indicated by a (3).

e) Only antlerless deer or antlered deer having at least four points on one side may be harvested at those sites listed in this Section that are followed by a (4).

f) Only antlerless deer or antlered deer having at least five points on one side may be harvested at those sites listed in this Section that are followed by a (5).

g) Statewide regulations shall apply at the following sites:

- Argyle Lake State Recreation Area (2)
- \* Anderson Lake Fish and Wildlife Area (2)
- \* Banner Marsh Fish and Wildlife Area (2)
- \* Big Bend State Fish and Wildlife Area (1) (2)
- Big River State Forest (2)
- Cache River State Natural Area (1) (2)
- Campbell Pond Fish and Wildlife Area (1) (2)
- Carlyle Lake Lands and Waters (Corps of Engineers managed lands)
- Carlyle Lake Wildlife Management Area (except subimpoundment area is closed seven days prior to and during the regular waterfowl season)
- Castle Rock State Park (1) (2)
- Crawford County Conservation Area (1) (2)
- Dixon Springs State Park (1) (2)
- Dog Island Wildlife Management Area (1) (2)



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

- \* Eldon Hazlet State Park (2)
- Ferne Clyffe State Park (1) (2)
- Fort de Chartres State Historic Site (1) (2)
- Fort Massac State Park (1) (2)
- \* Franklin Creek State Park (2)
- Giant City State Park (1) (2)
- Heidecke State Fish and Wildlife Area (2) (3) (5)
- Horseshoe Lake Conservation Area - Alexander County (Controlled Goose Hunting Area - open from October 1 until 25 days prior to the opening of the Quota Zone goose season; reopens with the close of the Quota Zone goose season through statewide closing; remainder of the Public Hunting Area open during statewide season) (1) (2)
- I-24 Wildlife Management Area (1) (2)
- \* Jubilee College State Park (2) (4)
- Kaskaskia River Fish and Wildlife Area (1) (2), except south of Highway 154 and north of Highway 13)
- Kidd Lake State Natural Area (1)
- Kinkaid Lake Fish and Wildlife Area (1) (2)
- Lowden-Miller State Forest (1) (2) (4)
- Mackinaw River Fish and Wildlife Area (1) (2)
- Marseilles Wildlife Area (closed Friday, Saturday, and Sunday in October) (1) (2)
- Marshall Fish and Wildlife Area (2)
- Mississippi Fish and Waterfowl Management Area - Pools 25 and 26
- Mississippi River Pool 16 (1)
- Mississippi River Pools 17, 18 (1)
- Mississippi River Pools 21, 22, 24

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

- \* Mt. Vernon Propagation Center (1) (2)
- Oakford Conservation Area
- Panther Creek Conservation Area (1) (2)
- \* Peabody River King State Fish and Wildlife Area (East and North subunits close November 1) (1) (2)
- Pere Marquette State Park (area east of Graham Hollow Road) (2)
- Pyramid State Park (1) (2)
- \* Randolph County Conservation Area (1) (2)
- Ray Norbut Conservation Area (2)
- \* Red Hills State Park (1) (2)
- Rend Lake State Fish and Wildlife Area
- Rice Lake Fish and Wildlife Area (2)
- Saline County Fish and Wildlife Area (1) (2)
- \* Sam Parr State Park (1) (2)
- Sangamon County Conservation Area
- Sanganois State Wildlife Area (1)
- \* Shabbona Lake State Park (2)
- Siloam Springs State Park (1) (2) (4)
- \* Silver Springs State Park (2)
- Tapley Woods State Natural Area (1) (2)
- Trail of Tears State Forest (1) (2)
- Turkey Bluffs Fish and Wildlife Area (1) (2)
- Union County Conservation Area (Controlled Goose Hunting Area - open from October 1 until 25 days prior to the opening of the Quota Zone goose season; reopens with the close of the Quota Zone goose season through statewide closing) (1) (2)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

## Walnut Point Fish and Wildlife Area (1)

- \* Washington County Conservation Area (deer bowhunters must wear a cap and upper outer garment with at least 400 square inches of solid blaze orange between 9:00 a.m. and 3:00 p.m. on days when upland game hunting is allowed during the site's controlled hunting season) (1) (2)

## Weinberg-King State Park (2)

## Wildcat Hollow State Forest (1)

- h) Statewide regulations shall apply at the following sites except that hunter quotas shall be filled by mail-in drawing:

## Beaver Dam State Park

## Goose Lake Prairie State Park (designated areas only)

Pere Marquette State Park (hunting in designated camp areas only; season begins the first weekday after camps close)

Rend Lake State Fish and Wildlife Area (designated area on refuge only, designated dates between October 1-October 31, 1996)

Union County Conservation Area (designated areas only) (last 3-day (Friday, Saturday and Sunday) weekend in October)

- i) State regulations shall apply except that hunters must obtain a free permit from the site office. This permit must be in possession while hunting and must be returned, and harvest reported, to the address indicated on the card before February 15. Failure to return the permit shall result in loss of hunting privileges at that site for the following year.

Chauncey Marsh State Natural Area (permit obtained at Red Hills State Park headquarters) (1)

Clinton Lake State Recreation Area (except Inner Peninsula and Mascoutin-areas) (1)

## Coffeen Lake State Fish and Wildlife Area

Des Plaines Conservation Area (closed to archery deer hunting during the site's upland game hunting season) (2)

Des Plaines Game Propagation Center (2)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

## \* Eagle Creek State Park

East Conant Field (1) (4)

Fox Ridge State Park (1)

Hamilton County Conservation Area (1)

Hidden Springs State Forest (1)

Joliet Army Ammunition Plant (an additional \$15 fee will be assessed upon registration; additionally, wheelchair accessible blinds are available and will be allocated on a first come-first served basis until 12 noon to hunters with a Class P2A disability card) (2)

Kankakee River State Park (deer bowhunters must wear a cap and upper outer garment with at least 400 square inches of solid blaze orange between 9:00 a.m. and 3:00 p.m. on days when upland game hunting is allowed during the site's controlled hunting season. Additionally, a limited hunting opportunity for persons with disabilities exists at the Davis Creek Bike Trail Area. Disabled hunters, as defined in 520 ILCS 5/3.1(c), may register to hunt at the site office and must sign in and out daily. Disabled hunters are required to hunt with a non-disabled partner who may also hunt from predetermined locations during disabled hunting season (the day after the first firearm deer season as set forth in 17 Ill. Adm. Code 650.10 to December 24)

Kickapoo State Park (1)

Little Vermilion (1) (4)

Mautino State Fish and Wildlife Area (1)

Mermet Lake Conservation Area (1) (2)

Middle Fork Fish and Wildlife Area (1)

\* Mississippi Palisades State Park (November 1 through December 31) (closed during the first firearm deer season) (1)

Newton Lake Fish and Wildlife Area (check deer at site office)

\* Pekin Lake Fish and Wildlife Area (1)

Ramsey Lake State Park (1)

## DEPARTMENT OF NATURAL RESOURCES

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Sam Dale Lake Conservation Area (1)

Sand Ridge State Forest (1)

\* Sangchris Lake State Park (1) (5)

Sato Field (1) (4)

Shelbyville Wildlife Management Area (1)

Site M (1) (4)

Snake Den Hollow Fish and Wildlife Area (October 1 through start of the central zone goose season)

\* Spring Lake Fish and Wildlife Area (1)

Stephen A. Forbes State Park (1)

Ten Mile Creek Fish and Wildlife Area (areas designated as refuge are closed to all access during Canada goose season only) (1); Belle Rive Unit only (4)

Witkowski State Wildlife Area (1)

j) Statewide regulations shall apply except that no hunting is permitted Wednesday through Sunday of the site's permit pheasant season.

Chain O'Lakes State Park (season opens Monday prior to opening of permit pheasant hunting season and closes Tuesday following the close of the permit pheasant hunting season); Tuesday hunting hours close at 2:00 p.m. and hunters must check out by 3:00 p.m. Season reopens on December 26 till close of regular season;

Green River State Wildlife Area (1) (2)

Iroquois County Conservation Area (2)

Johnson Sauk Trail State Park

Moraine View State Park (1)

Wayne Fitzgerald State Recreation Area (no bowhunting during controlled hunts as posted at the site) (1) (2)

k) Statewide regulations shall apply at the following sites except that hunter quotas are filled by mail-in drawing. Only antlerless deer may be taken. First 50 hunters to harvest a doe will be granted automatic

## DEPARTMENT OF NATURAL RESOURCES

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selection for first 50 openings in the next year's hunt ~~Hunters--must harvest one doe before being allowed to take an antlered deer.~~

Clinton Lake (Inner Peninsula and Mascoutin areas only) (1) (2) (3)

(Source: Amended at 21 Ill. Reg. 5561, effective APR 14 1997)



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: White-Tailed Deer Hunting By Use of Firearms2) Code Citation: 17 Ill. Adm. Code 650

3) Section Numbers:      Adopted Action:  
     650.21                    Amendments  
     650.40                    Amendments  
     650.60                    Amendments

4) Statutory Authority:    Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36].

5) Effective Date of Rulemaking: April 19, 19976) Does this rulemaking contain an automatic repeal date? No7) Does this rulemaking contain incorporations by reference? No8) Date filed in Agency's Principal Office: April 18, 19979) Notice of Proposal Published in Illinois Register: January 10, 1997, 21 Ill. Reg. 53110) Has JCAR issued a Statement of Objections to these rules? No11) Difference(s) between proposal and final version:

In Section 650.60(b), (c), (d) and (e), "subsections (f) and (g) of" was deleted.

In Section 650.60(f), the following site was added:

Goose Lake Prairie State Park (site permit required; hunter quotas shall be filled by mail-in drawing; requirements for drawing shall be publicly announced; hunters who have harvested a deer will be allowed to purchase an additional site-specific antlerless permit; daily stand-by drawing held at the site at 5 a.m. each day) (2)

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rulemaking replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
650.20	Amendments	3/28/97, 21 Ill. Reg. 3817

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

15) Summary and Purpose of Rulemaking: This Part is being amended to add language indicating that no individual may apply for or receive more than 2 either-sex permits for the 1997 season.

16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price  
 Department of Natural Resources  
 524 S. Second Street, Room 430  
 Springfield, IL 62701-1787  
 217/782-1809

The full text of the Adopted Amendments begins on the next page:

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION  
CHAPTER 1: DEPARTMENT OF NATURAL RESOURCES  
SUBCHAPTER b: FISH AND WILDLIFE

## PART 650

## WHITE-TAILED DEER HUNTING BY USE OF FIREARMS

Section	
650.20	Statewide Deer Permit Requirements
650.21	Deer Permit Requirements - Landowner/Tenant Permits
650.22	Deer Permit Requirements - Special Hunts
650.23	Deer Permit Requirements - Group Hunt
650.30	Statewide Firearms Requirements
650.40	Statewide Deer Hunting Rules
650.50	Rejection of Application/Revocation of Permits
650.60	Regulations at Various Department-Owned or -Managed Sites
650.65	Youth Hunt
650.67	Special Hunts for Disabled Hunters
650.70	Special Extended Season Firearm Deer Hunt (Repealed)

**AUTHORITY:** Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26 and 3.36].

**SOURCE:** Adopted at 5 Ill. Reg. 9771, effective September 17, 1981; codified at 5 Ill. Reg. 10640; amended at 6 Ill. Reg. 10730, effective August 20, 1982; amended at 7 Ill. Reg. 10798, effective August 24, 1983; amended at 8 Ill. Reg. 21602, effective October 23, 1984; amended at 9 Ill. Reg. 16213, effective October 10, 1985; emergency amendment at 9 Ill. Reg. 20922, effective December 18, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 4223, effective February 25, 1986; amended at 10 Ill. Reg. 16665, effective September 22, 1986; amended at 11 Ill. Reg. 3044, effective February 3, 1987; amended at 11 Ill. Reg. 9564, effective May 5, 1987; amended at 12 Ill. Reg. 8003, effective April 11, 1988; amended at 12 Ill. Reg. 12055, effective July 11, 1988; amended at 13 Ill. Reg. 12853, effective July 21, 1989; amended at 14 Ill. Reg. 12430, effective July 20, 1990; amended at 14 Ill. Reg. 19869, effective December 3, 1990; amended at 15 Ill. Reg. 10038, effective June 24, 1991; emergency amendment at 15 Ill. Reg. 15790, effective October 22, 1991, for a maximum of 150 days; emergency expired March 21, 1992; amended at 16 Ill. Reg. 11131, effective June 30, 1992; amended at 17 Ill. Reg. 13468, effective July 30, 1993; amended at 18 Ill. Reg. 5859, effective April 5, 1994; amended at 18 Ill. Reg. 13431, effective August 23, 1994; amended at 19 Ill. Reg. 6477, effective April 28, 1995; amended at 20 Ill. Reg. 7515, effective May 20, 1996; amended at 21 Ill. Reg. 5572, effective APR 14 1997.

## Section 650.21 Deer Permit Requirements - Landowner/Tenant Permits

- a) The immediate family of a landowner or tenant is defined as, and

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

limited to, the spouse, children, or parents permanently residing on the same property as the landowner or tenant.

b) A tenant for the purpose of this part is one who rents 40 acres or more land for commercial agricultural purposes under an agreement with a landowner. Commercial agriculture shall be defined as utilization of land for the raising of hay, grain crops or livestock for profit.

c) Resident and nonresident Illinois landowners who own 40 acres or more of land, and resident tenants leasing or renting 40 acres or more of commercial agricultural lands may apply for a county-wide paid landowner either-sex permit to hunt in the county where the land is located. Members of the immediate family of the landowner or tenant are also eligible to apply for a county-wide paid landowner Firearm Deer permit. Incomplete applications will be returned. The fee for a county-wide either-sex paid landowner deer permit shall be \$15.00 for residents and \$100.00 for nonresidents. These applications will not be subject to the public drawing or the Random Daily Drawing.

d) Resident Illinois landowners who own 40 acres or more of land and resident tenants renting or leasing 40 acres or more of commercial agricultural land, and members of their immediate family, may apply for a free either-sex permit for their property only in counties open for firearm deer hunting. Recipients of the free either-sex permit will also be given a free antlerless-only permit for their property only. Nonresident Illinois landowners (of 40 acres or more land) are also eligible to apply for one either-sex permit and one antlerless-only permit for their property only. The fee to nonresident Illinois landowners (of 40 acres or more land) for permits for their property only shall be \$50.00 for the either-sex permit and \$25.00 for the antlerless only permit. These applications will not be subject to the permit lottery described above or the Random Daily Drawing. This deer hunting permit shall be valid on all farmlands which the person to whom it is issued owns, leases or rents in counties open for firearm deer hunting.

e) Date of acceptance of landowner/tenant property-only permit applications will be publicly announced. Applications for county-wide paid permits must be submitted by the last weekday in April.

f) Landowners and resident tenants are not required to participate in the public drawing for permits.

g) Proof of ownership for all landowner or tenant applications must be provided by one of the following methods:

- 1) Submittal of a copy of property deed;
- 2) Submittal of a copy of contract for deed;
- 3) Submittal of a copy of a tax statement for the property (upon which the landowner's name appears as landowner, or person signing application appears as landowner);
- 4) Submittal of a copy of a Farm Service Agency 156EZ form either an Agricultural-Stabilization-and-Conservation--Service--476--or Commodity-Credit-Corporation-477-Form; or
- 5) Submittal of a copy of a trust agreement which must indicate that

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## NOTICE OF ADOPTED AMENDMENTS

the trust owns at least 40 acres and the applicant is a current income beneficiary of the trust.

- h) Tenant permit applicants are required to submit, in addition to the landowner certification and proof of ownership, a copy of one of the following:

- 1) A copy of a lease or a rental agreement, file stamped as recorded by the County Clerk, covering the current year; or
- 2) A copy of a Farm Service Agency 156EZ form ~~either an Agricultural Stabilization and Conservation Services--476--Form--or--Commodity Credit Corporation--477--Form.~~

- i) A hunting rights lease, or other non-agricultural lease, is not valid as a basis for obtaining a landowner or tenant permit.

- j) County-wide permit holders are authorized to firearm deer hunt only in the county identified on the deer permit and only on property where permission to hunt has been obtained from the property owner.

- k) If the property is owned or rented by more than one person: Only one landowner (and his immediate family) or one tenant (and his immediate family) shall be issued a permit on a first-come, first-serve basis for every 40 acres of owned or rented land. For example, if 3 persons own 90 acres, only 2 of the landowners and their immediate family may receive deer permits.

- l) Shareholders of corporations owning 40 or more acres of land in a county may apply for one either-sex permit to hunt the corporation lands only. Only one permit per 40 acres, for a maximum number of 15 permits per county shall be issued based on ownership of lands by corporations. Lands leased to corporations shall not be considered as a basis for a permit for the shareholders of the lessee. Lands held in trust by corporations shall not be considered as a basis for a permit by the shareholders of the trustee. If application is made for a permit based upon lands owned by the corporation, a duly authorized officer of the corporation must sign a notarized statement authorizing the applicant to hunt on the corporate lands for which a permit is being requested. This statement must identify the applicant as a shareholder, identify authorization to hunt and identify that no more than 15 authorizations will be requested per county for the corporation lands. This document must be attached to the application upon submittal to the Permit Office. The shareholder either-sex permit shall be free to resident shareholders, and the cost to nonresident shareholders shall be \$50.00. An antlerless-only shareholder permit (free to resident shareholders; \$25 to nonresident shareholders) will be made available if in the best interest of managing the deer herd.

- m) Landowners or tenants that apply for or receive Landowner/Tenant Firearm Deer Permits may not apply for additional permits in the lottery or the first Random Daily Drawing.

(Source: Amended at 21 Ill. Reg. effective 5572, APR 14 1997)

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## NOTICE OF ADOPTED AMENDMENTS

## Section 650.40 Statewide Deer Hunting Rules

- a) The bag limit is one deer per legally authorized eligible, antlered-only or antlerless-only permit. An eligible permit holder is allowed to take a deer with or without antlers. An antlered-only permit holder is allowed to take only a deer having at least one antler of a length of 3 or more inches. An antlerless only permit holder is allowed to take only a deer without antlers or a deer having antlers less than 3 inches long.

- b) Recipients of the Firearm Deer Hunting Permit shall record their signature, Firearm Owner's Identification Number, unless exempt, hunting license number, unless exempt, and physical description on the permit and must carry it on their person while hunting.

- c) The temporary harvest tag shall be attached and properly sealed immediately upon kill and before the deer is moved, transported or field dressed. No person shall leave any deer that has been killed without properly attaching the temporary harvest tag to the deer. The temporary harvest tag should be attached around the base of the antler of antlered deer (antlers 3 or more inches in length), and attached to the leg of antlerless deer (<3 inch antler length, or no antlers). If the head/antlers are delivered to a taxidermist for processing, the temporary harvest tag must accompany them and be kept with the head/antlers while at the taxidermist. If the carcass is taken to a meat processor, the permanent harvest tag must remain attached to the leg of the deer until it is processed, then must remain with the processed deer until it is at the legal residence of the person who legally took or possessed the deer. Deer shall be checked in by the hunter in person by 8:00 p.m., the same day it is killed; either at the county check station or the nearest check station to the kill site. Failure to follow this Section constitutes illegal possession of deer. Site specific reporting requirements must be followed in addition to this Section. Persons delivering deer/parts of deer to a taxidermist or tanner for processing must supply the taxidermist or tanner with their deer permit number to verify lawful acquisition. In the absence of a permit number, the taxidermist or tanner may rely on the written certification of the person from whom the deer was received that the specimen was legally taken or obtained.

- d) Hunters shall not have in their possession, while in the field during firearm deer season, any deer permit issued to another person (permits are non-transferable).

- e) Permits will not be re-issued in cases involving deer taken which are found to be diseased or spoiled due to previous injury. Legal disposal of unfit deer taken shall be the responsibility of the hunter.

(Source: Amended at 21 Ill. Reg. effective 5572, APR 14 1997)



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

**Section 650.60 Regulations at Various Department-Owned or -Managed Sites**

- a) All the regulations in 17 Ill. Adm. Code 510 - General Hunting and Trapping apply in this Section, unless this Section is more restrictive.
- b) Only one tree stand is allowed per deer permit holder. These tree stands must comply with restrictions listed in 17 Ill. Adm. Code 510.10(c)(3) and must be portable. Tree stands must be removed at the end of each day with the exception that they may be left unattended from September 15 - January 31 at those sites listed in **subsection (f)** and **(g)** of this Section that are followed by a (1).
- c) Check-in, check-out, and reporting of harvest is required at those sites listed in **subsection (f)** and **(g)** of this Section that are followed by a (2).
- d) Only antlerless deer or antlered deer having at least four points on one side may be harvested at those sites listed in **subsection (f)** and **(g)** of this Section that are followed by a (3).
- e) Only antlerless deer or antlered deer having at least five points on one side may be harvested at those sites listed in **subsection (f)** and **(g)** of this Section that are followed by a (4).
- f) Statewide regulations shall apply at the following sites:

Cache River State Natural Area (1) (2)

Campbell Pond (1) (2)

Carlyle Lake Lands and Waters (Corps of Engineers managed lands)

Carlyle Lake Wildlife Management Area (except subimpoundment area)

Chauncey Marsh (1) (2)

Crawford County Conservation Area (1) (2)

Dog Island Wildlife Management Area (1) (2)

Ferne Clyffe State Park (1) (2)

Fort de Chartres State Historic Site (muzzleloading rifles only) (1) (2)

Giant City State Park (1) (2)

Goose Lake Prairie State Park (site permit required; hunter quotas shall be filled by mail-in drawing; requirements for drawing shall be publicly announced; hunters who have harvested a deer will be allowed to purchase an additional site-specific

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antlerless permit; daily stand-by drawing held at the site at 5 a.m. each day) (2)

Hamilton County Conservation Area (1) (2)

Horseshoe Lake Conservation Area - Alexander County (all portions of the Public Hunting Area except the Controlled Goose Hunting Area) (1) (2)

I-24 Wildlife Management Area (1) (2)

Kaskaskia River Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed during duck season) (2, except south of Highway 154 and north of Highway 13)

Kidd Lake State Natural Area (1)

Kinkaid Lake Fish and Wildlife Area (1) (2)

~~Little Vermilion (permit required; allocated by drawing---only persons with Kickapoo or Middlefork permits may apply) (2) (3)~~

Mermet Lake Conservation Area (1) (2)

Mississippi Fish and Waterfowl Management Area - Pools 25 and 26

Mississippi River Pool 16 (1)

Mississippi River Pools 17, 18 (1)

Mississippi River Pools 21, 22, 24 (1)

Newton Lake Fish and Wildlife Area (2)

Oakford Conservation Area (1)

~~Panther Creek Conservation Area (1) (2)~~

Pere Marquette State Park (hunting in designated areas only) (2)

Pyramid State Park (1) (2)

Rend Lake State Fish and Wildlife Area

Saline County Fish and Wildlife Area (1) (2)

Sangamon County Conservation Area

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## Sanganois State Wildlife Area (1)

Southern Illinois University - Indian Creek Management Unit (1) (2)

Ten Mile Creek Fish and Wildlife Area (1); Belle Rive Unit only (3)

Trail of Tears State Forest (1) (2)

Turkey Bluffs Fish and Wildlife Area (1) (2)

Union County Conservation Area (1) (2)

Weinberg-King State Park (2)

Wildcat Hollow State Forest (1)

g) Statewide regulations shall apply at the following sites by special permit allocated through the regular statewide drawing. Season dates that differ from the statewide dates are in parentheses. Sites that offer standby hunting are followed by a (5). At sites offering standby hunting, permit holders must register at the check station by 5:00 a.m. each day of the hunt. Unvalidated permits are void after 5:00 a.m. Vacancies each day will be filled by a drawing held at 5:00 a.m. Vacancies may be filled by any person holding a valid hunting license, Habitat Stamp, and Firearm Owner Identification Card, unless exempt. Standby hunters will be issued a one-day site-specific deer permit at the check station, and charged a permit fee of \$5.00. All hunters must check out and report harvest.

Argyle Lake Recreation Area (5)

Big River State Forest (5)

Castle Rock State Park (first season only) (1) (2) (5)

Castle Rock State Park (second season only) (1) (2) (5)

Coffeen Lake State Fish and Wildlife Area (first season only)

Coffeen Lake State Fish and Wildlife Area (second season only)

Des Plaines Conservation Area (first season only) (2) (5)

East Conant Field (1) (3)

Fort Massac State Park (second season only) (antlerless deer

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only) (2)

Fox Ridge State Park

Green River State Wildlife Area (first season only) (1) (2) (5)

Heidecke State Fish and Wildlife Area (2) (4) (3) (5)

Hidden Springs State Forest

Horseshoe Lake Conservation Area - Alexander County (Refuge and Public Hunting Area, last Saturday in October)

Iroquois County Conservation Area/Hooper Branch (first season only) (2) (5)

Iroquois County Conservation Area - Hooper Branch only (second season only) (2) (5)

Joliet Army Ammunition Plant (an additional \$15 fee will be assessed upon registration; additionally, wheelchair accessible blinds are available and will be allocated on a first come-first served basis until 12 noon to hunters with a Class P2A disability card) (2) (3) (5)

Kickapoo State Park (2) (5)

Little Vermilion River State Natural Area (2) (3)

Lowden-Miller State Forest (first season only) (1) (2) (3) (5)

Lowden-Miller State Forest (second season only) (1) (2) (3) (5)

Mackinaw River Fish and Wildlife Area (1) (2) (5)

Marseilles Wildlife Area (1) (2) (5)

Marshall Fish and Wildlife Area (2) (5)

Middle Fork Fish and Wildlife Area (2) (5)

Mississippi Palisades State Park (first season only)

Morrison Rockwood State Park (first season only) (5)

Panther Creek Conservation Area (1) (2) (3)

Ray Norbut Conservation Area (2) (5)

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Sand Ridge State Forest (1) (2)

Sato Field (1) (3)

Siloam Springs State Park (2) (3)

Site M (1) (2) (3)

Tapley Woods State Natural Area

Witkowski Wildlife Area

Wolf Creek State Park

(Source: Amended at 21 Ill. Reg. 5572, effective  
APR 1 1997)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: White-Tailed Deer Hunting Season by Use of Muzzleloading Rifles

2) Code Citation: 17 Ill. Adm. Code 660

3) Section Numbers: Adopted Action:  
 660.40 Amendments  
 660.60 Amendments

4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36].

5) Effective Date of Rulemaking: April 19, 1997

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) Date filed in Agency's Principal Office: April 18, 1997

9) Notice of Proposal Published in Illinois Register: January 10, 1997, 21 Ill. Reg. 542

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version: In Section 660.40(c), "checking" was changed to "check out".

In Sections 660.60(b), (c), (d) and (e), "the following subsections" was changed to "this Section".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rulemaking replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
660.20	Amendments	3/28/97, 21 Ill. Reg. 3823

15) Summary and Purpose of Rulemaking: This Part is being amended to eliminate the need for hunters to record their Firearm Owner's Identification number, hunting license number, and physical description on the deer hunting permit; allow hunters to tag deer on the antlers instead of the leg to facilitate handling by the taxidermist; clarify the difference between a permanent and a temporary harvest tag; and open new sites to



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hunting.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price  
Department of Natural Resources  
524 S. Second Street, Room 430  
Springfield, IL 62701-1787  
217/782-1809

The full text of the Adopted Amendments begins on the next page:

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION  
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES  
SUBCHAPTER b: FISH AND WILDLIFE

## PART 660

WHITE-TAILED DEER HUNTING SEASON BY USE  
OF MUZZLELOADING RIFLES

## Section

- 660.10 Statewide Season and Permit Quotas  
660.20 Statewide Deer Permit Requirements  
660.21 Deer Permit Requirements - Free Landowner/Tenant Permits  
660.22 Deer Permit Requirements - Special Hunts  
660.25 Deer Permit Requirements - Group Hunt  
660.30 Statewide Muzzleloading Rifle Requirements  
660.40 Statewide Deer Hunting Rules  
660.45 Reporting Harvest  
660.50 Rejection of Application/Revocation of Permits  
660.60 Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.24, 2.25, 2.26, 2.33 and 3.36].

SOURCE: Adopted at 15 Ill. Reg. 4777, effective March 18, 1991; amended at 15 Ill. Reg. 11627, effective August 2, 1991; amended at 16 Ill. Reg. 11150, effective June 30, 1992; amended at 17 Ill. Reg. 10865, effective July 1, 1993; amended at 18 Ill. Reg. 5878, effective April 5, 1994; amended at 18 Ill. Reg. 13435, effective August 23, 1994; amended at 19 Ill. Reg. 6500, effective April 28, 1995; amended at 20 Ill. Reg. 6734, effective May 6, 1996; amended at 21 Ill. Reg. **5583**, effective APR 14 1997.

## Section 660.40 Statewide Deer Hunting Rules

- a) The bag limit is one deer per legally authorized either-sex, antlered-only or antlerless-only permit. An either-sex permit holder is allowed to take a deer with or without antlers. An antlered-only permit holder is allowed to take only a deer having at least one antler of a length of 3 or more inches. An antlerless only permit holder is allowed to take only a deer without antlers or a deer having antlers less than 3 inches long.
- b) Recipients of the Muzzleloading Rifle Deer Hunting Permit shall record their signature, ~~Firearm Owner's Identification Number~~ (unless exempt), ~~hunting license number~~ (unless exempt), ~~and physical description~~ on the permit and must carry it on their person while hunting.
- c) The temporary harvest tag shall be attached and properly sealed immediately upon kill and before the deer is moved, transported or

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field dressed. No person shall leave any deer that has been killed without properly attaching the temporary harvest tag to the deer. The temporary harvest tag should be attached around the base of the antler of antlered deer (antlers 3 or more inches in length), and attached to the leg of antlerless deer (<3 inch antler length, or no antlers). A permanent harvest tag will be attached to the leg of the deer upon check out at the check station. If the head/antlers are delivered to a taxidermist for processing, the temporary harvest tag must accompany them and be kept with the head/antlers while at the taxidermist. If the carcass is taken to a meat processor, the permanent harvest tag must remain attached to the leg of the deer until it is processed, then must remain with the processed deer until it is at the legal residence of the person who legally took or possessed the deer. Persons delivering deer/parts of deer to a taxidermist or tanner for processing must supply the taxidermist or tanner with their deer permit number to verify lawful acquisition. In the absence of a permit number, the taxidermist or tanner may rely on the written certification of the person from whom the deer was received that the specimen was legally taken or obtained.

d) Hunters shall not have in their possession, any deer permit issued to another person, while in the field during muzzleloading rifle deer season (permits are non-transferable).

e) Permits will not be re-issued in cases involving deer taken which are found to be diseased or spoiled due to previous injury. Legal disposal of unfit deer taken shall be the responsibility of the hunter.

(Source: Amended at 21 Ill. Reg. 5583, effective APR 14 1997)

## Section 60.60 Regulations at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510 - General Hunting and Trapping apply in this Section, unless this Section is more restrictive.
- b) Only one tree stand is allowed per deer permit holder. Tree stands must comply with restrictions listed in 17 Ill. Adm. Code 510(c)(3) and must be portable. Tree stands must be removed at the end of each day with the exception that they may be left unattended from September 15 - January 31 at those sites listed in the--following--subsections this Section that are followed by a (1).
- c) Check-in, check-out and reporting of harvest is required at those sites listed in the--following--subsections this Section that are followed by a (2).
- d) Handicapped preferred hunting opportunities are provided at those sites listed in the--following--subsections this Section that are followed by a (3).
- e) Only antlerless deer or antlered deer having at least four points on

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one side may be harvested at those sites listed in the--following subsections this Section that are followed by a (4).

f) Only antlerless deer or antlered deer having at least five points on one side may be harvested at those sites listed in the--following subsections this Section that are followed by a (5).

g) Statewide regulations shall apply at the following sites:

- Cache River State Natural Area (1) (2)
- Campbell Pond Fish and Wildlife Area (1) (2)
- Carlyle Lake Wildlife Management Area except subimpoundment areas
- Carlyle Lake Lands and Waters - Corps of Engineers managed lands
- Chauncey Marsh (1) (2)
- Crawford County Fish and Wildlife Area (1) (2)
- Dog Island Wildlife Management Area (1) (2)
- Ferne Clyffe State Park (1) (2)
- Fort de Chartres Historic Site (1) (2)
- Giant City State Park (1) (2)
- Hamilton County Fish and Wildlife Area (1) (2)
- Hidden Springs State Forest (closed during second firearm deer season) (1) (2)
- Horseshoe Lake Conservation Area - Alexander County (all portions of the Public Hunting Area except the Controlled Goose Hunting Area) (1) (2)
- I-24 Wildlife Management Area (1) (2)
- Kaskaskia River Fish and Wildlife Area (Doza Creek Waterfowl Management Area is closed during duck season) (2, except south of Highway 154 and north of Highway 13)
- Kickapoo State Park (closed during second firearm deer season) (1) (2)
- Kidd Lake State Natural Area (1)
- Kinkaid Lake Fish and Wildlife Area (1) (2)

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Mermet Lake Conservation Area (1) (2)  
 Middle Fork Fish and Wildlife Area (closed during second firearm deer season) (1) (2)  
 Mississippi River Pool 16 (1)  
 Mississippi River Pool 17 (1)  
 Mississippi River Pool 18 (1)  
 Mississippi River Pools 21, 22, 24  
 Mississippi Fish and Waterfowl Management Area - Pools 25 and 26  
 Oakford Conservation Area (1)  
 Panther Creek Conservation Area (1) (2)  
 Pere Marquette State Park (hunting in designated area only) (2)  
 Pyramid State Park (1) (2)  
 Ray Norbut Conservation Area (2)  
 Rend Lake Fish and Wildlife Area  
 Saline County Fish and Wildlife Area (1) (2)  
 Sand Ridge State Forest (1) (2)  
 Sanganois Fish and Wildlife Area (1)  
 Ten Mile Creek Fish and Wildlife Area (1); Belle Rive Unit only (4)  
 Trail of Tears State Forest (1) (2)  
 Turkey Bluffs Fish and Wildlife Area (1) (2)  
 Union County Conservation Area (1) (2)  
 Weinberg-King State Park (2)  
 Wildcat Hollow State Forest (1)

h) Statewide regulations shall apply at the following sites by special permit allocated through the regular statewide drawing. Season dates

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that differ from the statewide dates are in parentheses. Sites that offer standby hunting are followed by a (6). At sites offering standby hunting, permit holders must register at the check station by 5:00 a.m. each day of the hunt. Unvalidated permits are void after 5:00 a.m. Vacancies each day will be filled by a drawing held at 5:00 a.m. Vacancies may be filled by any person holding a valid hunting license, Habitat Stamp, and Firearm Owner Identification Card, if required. Standby hunters will be issued a one-day site-specific deer permit at the check station, and charged a permit fee of \$5.00. All hunters must check out and report harvest.

East Conant Field (1) (4)

Sato Field (1) (4)

Tapley Woods State Natural Area (closed during the second firearm deer season)

(Source: Amended at 21 Ill. Reg. 5583 effective APR 19 1997)



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## NOTICE OF EMERGENCY AMENDMENT(S)

1) Heading of the Part: Sport Fishing Regulations for the Waters of Illinois

2) Code Citation: 17 Ill. Adm. Code 810

3) Section Numbers: 810.45  
Emergency Action:  
Amendments

4) Statutory Authority: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5]

5) Effective Date of Emergency Amendment: April 15, 1997

6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency amendment will remain in effect for the 150-day period.

7) Date filed in Agency's Principal Office: April 15, 1997

8) Reason for Emergency: Due to the failure of young-of-the-year yellow perch to survive in Lake Michigan, steps must be taken to protect the adult yellow perch. The threat to the public interest in the potential loss of yellow perch or retarded recovery requires the prohibition of any catch of yellow perch from Lake Michigan via watercraft whose owners are profiting from the harvest of yellow perch.

9) A Complete Description of the Subjects and Issues Involved: The Department is amending Section 810.45 to close the harvest of yellow perch by persons on charter boats because the supply of yellow perch has dramatically declined throughout the southern portion of Lake Michigan. All commercial fishing for perch is being closed, and in the interests of both species protection and fairness, perch fishing from charter boats also needs to be closed.

10) Are there any proposed amendments to this Part pending? No

11) Statement of Statewide Policy Objectives: These rules do not create or expand a state mandate.

12) Information and questions regarding this amendment shall be directed to:

Jack Price  
Department of Natural Resources  
524 S. Second Street, Room 485  
Springfield, IL 62701-1787

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217/782-1809

The full text of the emergency amendments begins on the next page:

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TITLE 17: CONSERVATION  
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PART 810  
SPORT FISHING REGULATIONS FOR THE WATERS OF ILLINOIS

- Section  
810.10 Sale of Fish and Fishing Seasons  
810.20 Snagging  
810.30 Pole and Line Fishing Only (Repealed)  
810.35 Statewide Sportfishing Regulations - Daily Catch and Size Limits  
810.37 Definitions for Site Specific Sportfishing Regulations  
810.40 Daily Catch and Size Limits (Repealed)  
810.45 Site Specific Water Area Regulations  
EMERGENCY  
810.50 Bait Fishing  
810.60 Bullfrogs (Repealed)  
810.70 Free Fishing Days  
810.80 Emergency Protective Regulations  
810.90 Fishing Tournament Permit  
810.100 Bed Protection

AUTHORITY: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5].

SOURCE: Adopted at 5 Ill. Reg. 751, effective January 8, 1981; codified at 5 Ill. Reg. 10647; amended at 6 Ill. Reg. 342, effective December 23, 1981; amended at 6 Ill. Reg. 7411, effective June 11, 1982; amended at 7 Ill. Reg. 209, effective December 22, 1982; amended at 8 Ill. Reg. 1564, effective January 23, 1984; amended at 8 Ill. Reg. 16769, effective August 30, 1984; amended at 9 Ill. Reg. 2916, effective February 26, 1985; emergency amendment at 9 Ill. Reg. 3825, effective March 13, 1985, for a maximum of 150 days; emergency expired August 10, 1985; amended at 9 Ill. Reg. 6181, effective April 24, 1985; amended at 9 Ill. Reg. 14291, effective September 5, 1985; amended at 10 Ill. Reg. 4835, effective March 5, 1986; amended at 11 Ill. Reg. 4638, effective March 10, 1987; amended at 12 Ill. Reg. 5306, effective March 8, 1988; emergency amendment at 12 Ill. Reg. 6981, effective April 4, 1988, for a maximum of 150 days; emergency expired September 1, 1988; emergency amendment at 12 Ill. Reg. 10525, effective June 7, 1988, for a maximum of 150 days; emergency expired November 4, 1988; amended at 12 Ill. Reg. 15982, effective September 27, 1988; amended at 13 Ill. Reg. 8419, effective May 19, 1989; emergency amendment at 13 Ill. Reg. 12643, effective July 14, 1989, for a maximum of 150 days; emergency expired December 11, 1989; emergency amendment at 13 Ill. Reg. 14085, effective September 4, 1989, for a maximum of 150 days;

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emergency expired February 1, 1990; emergency amendment at 13 Ill. Reg. 15118, effective September 11, 1989, for a maximum of 150 days; emergency expired February 8, 1990; amended at 14 Ill. Reg. 6164, effective April 17, 1990; emergency amendment at 14 Ill. Reg. 6865, effective April 17, 1990, for a maximum of 150 days; emergency expired September 19, 1990; amended at 14 Ill. Reg. 8588, effective May 21, 1990; amended at 14 Ill. Reg. 16863, effective October 1, 1990; amended at 15 Ill. Reg. 4699, effective March 18, 1991; emergency amendment at 15 Ill. Reg. 5430, effective March 27, 1991, for a maximum of 150 days; emergency expired August 24, 1991; amended at 15 Ill. Reg. 9977, effective June 24, 1991; amended at 15 Ill. Reg. 13347, effective September 3, 1991; amended at 16 Ill. Reg. 5267, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 6016, effective March 25, 1992, for a maximum of 150 days; emergency expired August 22, 1992; amended at 16 Ill. Reg. 12526, effective July 28, 1992; amended at 17 Ill. Reg. 3853, effective March 15, 1993; emergency amendment at 17 Ill. Reg. 5915, effective March 25, 1993, for a maximum of 150 days; emergency expired August 22, 1993; amended at 17 Ill. Reg. 10806, effective July 1, 1993; amended at 18 Ill. Reg. 3277, effective February 28, 1994; emergency amendment at 18 Ill. Reg. 5667, effective March 25, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 12652, effective August 9, 1994; amended at 19 Ill. Reg. 2396, effective February 17, 1995; emergency amendment at 19 Ill. Reg. 5262, effective April 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10614, effective July 1, 1995; amended at 20 Ill. Reg. 4640, effective March 6, 1996; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 21 Ill. Reg. 9389; amended at 21 Ill. Reg. 4709, effective April 1, 1997; emergency amendment at 21 Ill. Reg. ~~5590~~ effective April 15, 1997, for a maximum of 150 days.

Section 810.45 Site Specific Water Area Regulations  
EMERGENCY

Fishing regulations, including species of fish, fishing methods and daily catch limits are listed for each water area. The numbers in parenthesis refer to the corresponding numbered definitions in Section 810.37 of this Part. If a water area is not listed or if a specific species is not listed, then state-wide restrictions apply. Check the bulletin boards at the specific site for any emergency changes to regulations.

- Allison Lake, City of Lincoln  
Logan County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
  
Anderson Lake Fish and Wildlife Area (33)  
Fulton County  
  
Andover Lake, City of Andover  
Henry County

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- All Fish  
Channel Catfish  
Apple River  
Jo Daviess County  
Trout  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- Spring Closed Season (11)
- Apple River Basin - Special Management Zone (within the boundaries of Apple River Canyon State Park, including tributaries)  
Jo Daviess County  
All Fish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 14" Minimum Length Limit
- Argyle Lake, Argyle Lake State Park  
McDonough County  
All Fish  
Bluegill or Redear  
Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass (14)  
- 10 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 1 Fish more than 15" and/or 5 less than 12" Daily (12)  
- Fall Closed Season (10)  
- 14" Minimum Length Limit  
Trout  
Walleye, Sauger or Hybrid  
Walleye  
White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie  
- 10 Fish Daily Creel Limit  
- 9" Minimum Length Limit
- Ashland City Reservoir, City of Ashland  
Cass County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit
- Ashley Reservoir, City of Ashley  
Washington County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit
- Auburn Park Lagoon, Chicago Park District  
Cook County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit
- Axehead Lake, Cook County Forest Preserve  
Cook County

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- All Fish  
Large or Smallmouth Bass  
Trout  
Trout  
- 2 Pole and Line Fishing Only (1)  
(36)  
- 14" Minimum Length Limit  
- Fall Closed Season (10)  
- Spring Closed Season (11)
- Baker Lake, City of Peru  
LaSalle County  
All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 10 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 1 Fish Daily Creel Limit
- Baldwin Lake, Baldwin Lake Conservation Area  
Randolph County  
All Fish  
Large or Smallmouth Bass  
Striped, White, or Hybrid  
Striped Bass  
Striped, White, or Hybrid  
Striped Bass (16)  
White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie  
- 2 Pole and Line Fishing Only  
(1)(5)  
- 18" Minimum Length Limit  
- 17" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 25 Fish Daily Creel Limit  
- 9" Minimum Length Limit
- Banana Lake, Lake County Forest Preserve District  
Lake County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass (14)  
Large or Smallmouth Bass  
Trout  
Trout  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 1 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- Fall Closed Season (10)  
- Spring Closed Season (11)
- Banner Marsh Lake & Ponds, Banner Marsh State Fish and Wildlife Area (33)  
Peoria/Fulton Counties  
All Fish  
Channel Catfish  
Large or Smallmouth Bass (14)  
Large or Smallmouth Bass  
Walleye, Sauger, or Hybrid  
Walleye  
White, Black, or Hybrid  
Crappie (15)  
- 2 Pole and Line Fishing  
Only (1)(34)  
- 6 Fish Daily Creel Limit  
- 1 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 14" Minimum Length Limit  
- 25 Fish Daily Creel Limit



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- White, Black, or Hybrid Crappie  
- 9" Minimum Length Limit
- Batchtown Wildlife Management Area (33)  
Calhoun County
- Baumann Park Lake, City of Cherry Valley  
Winnebago County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 1 Fish Daily Creel Limit
- Beall Woods Lake, Beall Woods Conservation Area  
Wabash County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Trout  
Trout  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- Spring Closed Season (11)  
- Fall Closed Season (10)
- Beaver Dam Lake, Beaver Dam State Park  
Macoupin County  
All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Trout  
White, Black, or Hybrid Crappie (15)  
White, Black, or Hybrid Crappie  
- 2 Pole and Line Fishing Only (1)  
- 25 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- Fall Closed Season (10)  
- 10 Fish Daily Creel Limit  
- 9" Minimum Length Limit
- Beck Lake, Cook County Forest Preserve District  
Cook County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Walleye, Sauger, or Hybrid Walleye  
Fishing Only (1)(36)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 18" Minimum Length Limit
- Belleau Lake, Cook County Forest Preserve District  
Cook County  
All Fish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (36)  
- 14" Minimum Length Limit

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- Trout  
Trout  
- Fall Closed Season (10)  
- Spring Closed Season (11)
- Bevier Lagoon, Waukegan Park District  
Lake County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit
- Bird Park Quarry, City of Kankakee  
Kankakee County  
Trout  
Trout  
- Fall Closed Season (10)  
- Spring Closed Season (11)
- Bowen Lake, City of Washington  
Tazewell County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 3 Fish Daily Creel Limit
- Borah Lake, City of Olney  
Richland County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit
- Boston Pond, Stephen A. Forbes State Park  
Marion County  
Trout  
Trout  
- Fall Closed Season (10)  
- Spring Closed Season (11)
- Braidwood Lake State Fish and Wildlife Area (33)  
Will County  
(Braidwood Lake is closed to all fishing and boat traffic, except for legal waterfowl hunters, from 2 weeks prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with duck season)  
All Fish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Striped, White, or Hybrid Striped Bass  
Striped, White, or Hybrid Striped Bass (16)  
Walleye, Sauger, or Hybrid Walleye  
White, Black, or Hybrid  
- 2 Pole and Line Fishing Only (1)  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 17" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 14" Minimum Length Limit

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- Crappie (15)  
- 10 Fish Daily Creel Limit
- Breeze JC's Park Pond, City of Breeze  
Clinton County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit
- Buckner City Reservoir, City of Buckner  
Franklin County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit
- Bunker Hill Lake, City of Bunker Hill  
Macoupin County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit
- Burrells Wood Park Pond  
White County  
Channel Catfish  
- 6 Fish Daily Creel Limit
- Busse Lake, Cook County Forest Preserve  
Cook County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Walleye, Sauger, or Hybrid  
Walleye  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 18" Minimum Length Limit
- Cache River State Natural Area (19)  
Pulaski/Johnson Counties
- Calhoun Point Wildlife Management Area (33)  
Calhoun County
- Calumet River  
Cook County  
Yellow Perch  
Yellow Perch  
- 15 Fish Daily Creel Limit  
- 8" to 10" Harvest Slot Length Limit (2) - Possession of Yellow Perch under 8" or over 10" is prohibited  
- Closed During June
- Yellow Perch  
- Closed During June
- Campbell Pond Wildlife Management Area (19)

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- Jackson County
- Campus Lake - Southern Illinois University, State of Illinois  
Jackson County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit
- Campus Pond - Eastern Illinois University, State of Illinois  
Coles County  
All Fish  
Channel Catfish  
Trout  
Trout  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- Fall Closed Season (10)  
- Spring Closed Season (11)
- Canton Lake, City of Canton  
Fulton County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit
- Carlyle Lake, U.S. Army Corps of Engineers (20) (33)  
Clinton County  
Large or Smallmouth Bass  
Walleye, Sauger, or Hybrid  
Walleye  
White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie  
- 14" Minimum Length Limit  
- 10 Fish Daily Creel Limit  
- 10" Minimum Length Limit
- Carthage Lake, City of Carthage  
Hancock County  
Channel Catfish  
- 6 Fish Daily Creel Limit
- Cedar Lake, U.S. Forest Service and  
City of Carbondale  
Jackson County (19)  
All Fish  
Large or Smallmouth Bass  
Large or Smallmouth Bass  
Striped, White, or Hybrid  
Striped Bass  
Striped, White, or Hybrid  
Striped Bass (16)  
- 2 Pole and Line Fishing Only (1)  
(5)  
- 14"-18" Protected Slot Length Limit (no possession)  
- 2 Fish Under 14" and 2 Fish Over 18" Daily Creel Limit  
- 17" Minimum Length Limit  
- 3 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

- Walleye, Sauger, or Hybrid  
Walleye
- 14" Minimum Length Limit
- Centralia Lake, City of Centralia  
Marion County
- 15" Minimum Length Limit
- Cermack Quarry, Cook County Forest Preserve District  
Cook County
- 2 Pole and Line Fishing Only (1)(36)
  - 6 Fish Daily Creel Limit
  - 14" Minimum Length Limit
- Channel Catfish  
Large or Smallmouth Bass
- Champaign Park District Lakes (Kaufman Lake, Heritage Lake, and Mattis Lake), Champaign Park District  
Champaign County
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 15" Minimum Length Limit
  - 1 Fish Daily Creel Limit
- Charleston Lower Channel Lake, City of Charleston  
Coles County
- 2 Pole and Line Fishing Only (1)
- Charleston Side Channel Lake, City of Charleston  
Coles County
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 14" Minimum Length Limit
  - 17" Minimum Length Limit
  - 3 Fish Daily Creel Limit
- Charlie Brown Lake & Pond, City of Flora  
Clay County
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 14" Minimum Length Limit
- Channel Catfish  
Large or Smallmouth Bass
- Charter Oak North - Peoria Park District Lake, Peoria Park District  
Peoria County
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 15" Minimum Length Limit
- Channel Catfish  
Large or Smallmouth Bass

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

- Large or Smallmouth  
Bass (14)
- 1 Fish Daily Creel Limit
- Charter Oak South - Peoria Park District Pond, Peoria Park District  
Peoria County
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 15" Minimum Length Limit
  - 1 Fish Daily Creel Limit
- Channel Catfish  
Large or Smallmouth Bass
- Large or Smallmouth  
Bass (14)
- Chauncey Marsh (19)  
Lawrence County
- Chicago River (including its North Branch, South Branch, and the North Shore Channel)  
Cook County
- 15 Fish Daily Creel Limit
  - 8" to 10" Harvest Slot Length Limit (2) - Possession of Yellow Perch Under 8" or over 10" is Prohibited
  - Closed During June
- Yellow Perch
- Citizen's Lake, City of Monmouth  
Warren County
- 2 Pole and Line Fishing Only (1)
  - 10 Fish Daily Creel Limit
  - 6 Fish Daily Creel Limit
  - 14" Minimum Length Limit
  - 3 Fish Daily Creel Limit
  - Fall Closed Season (10)
- Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass (14)  
Trout
- Clear Lake, Kickapoo State Park  
Vermillion County
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - Fall Closed Season (10)
  - Spring Closed Season (11)
- Channel Catfish  
Trout  
Trout
- Clinton Lake, Clinton Lake State Recreation Area (19)  
Dewitt County
- 2 Pole and Line Fishing Only (1)(18)
  - 14" Minimum Length Limit
  - 17" Minimum Length Limit
- Large or Smallmouth Bass  
Striped, White, or Hybrid  
Striped Bass  
Striped, White, or Hybrid



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

Striped Bass (16)  
 Walleye or Sauger  
 White, Black, or Hybrid  
 Crappie (15)  
 White, Black, or Hybrid  
 Crappie

- 3 Fish Daily Creel Limit  
 - 14" Minimum Length Limit  
 - 15 Fish Daily Creel Limit  
 - 9" Minimum Length Limit

Coffeen Lake, Coffeen Lake State Fish and Wildlife Area  
 Montgomery County

Large or Smallmouth Bass  
 Large or Smallmouth Bass (14)  
 White, Black, or Hybrid  
 Crappie (15)  
 White, Black, or Hybrid  
 Crappie  
 Striped, White, or Hybrid  
 Striped Bass  
 Striped, White, or Hybrid  
 Striped Bass (16)

- 15" Minimum Length Limit  
 - 3 Fish Daily Creel Limit  
 - 10 Fish Daily Creel Limit  
 - 9" Minimum Length Limit  
 - 17" Minimum Length Limit  
 - 3 Fish Daily Creel Limit

## Coles County Airport Lake, Coles County Airport

Coles County  
 All Fish  
 Channel Catfish  
 Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit  
 - 14" Minimum Length Limit

## Coleta Trout Pond, State of Illinois

Whiteside County  
 Trout  
 Trout

- Fall Closed Season (10)  
 - Spring Closed Season (11)

## Columbus Park Lagoon, Chicago Park District

Cook County  
 All Fish  
 Channel Catfish

- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit

## Cook Co. F.P.D. Lakes, Cook County Forest Preserve District

Cook County  
 All Fish  
 Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)  
 - 14" Minimum Length Limit

## Coulterville City Lake, City of Coulterville

Randolph County  
 All Fish  
 Channel Catfish

- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit

## Crab Orchard National Wildlife Refuge - Crab Orchard Lake, U.S. Fish and Wildlife Service (19)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

Williamson County  
 All Fish  
 Striped, White, or Hybrid  
 Striped Bass (16)  
 Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)(4)  
 - 10 Creel/3 Fish 17" or Longer Daily (17)  
 - 15" Minimum Length Limit

## Crab Orchard National Wildlife Refuge - Devil's Kitchen Lake, U.S. Fish and Wildlife Service (19)

Williamson County  
 All Fish

- 2 Pole and Line Fishing Only (1)

## Crab Orchard National Wildlife Refuge - Little Grassy Lake, U.S. Fish and Wildlife Service (19)

Williamson County  
 All Fish  
 Channel Catfish  
 Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit  
 - 12-15" Slot Length Limit (3)

## Crab Orchard National Wildlife Refuge. Refuge Ponds (except Visitor Pond), U.S. Fish and Wildlife Service

Williamson County  
 All Fish  
 Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)  
 - 15" Minimum Length Limit

## Crab Orchard National Wildlife Refuge. Visitor Pond, U.S. Fish and Wildlife Service

Williamson County  
 All Fish (30)  
 Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)  
 (5)  
 - 21" Minimum Length Limit

Crawford Co. Cons. Area - Picnic Pond, Crawford County Conservation Area  
 Crawford County

All Fish  
 Channel Catfish  
 Large or Smallmouth Bass  
 Trout

- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit  
 - 15" Minimum Length Limit  
 - Fall Closed Season (10)

## Crawford Co. Cons. Area Ponds, Crawford County Conservation Area

Crawford County  
 All Fish  
 Channel Catfish  
 Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit  
 - 15" Minimum Length Limit

Crull Impoundment Wildlife Management Area (33)  
 Jersey County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

Crystal Lake, Urbana Park District

Champaign County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Dawson Lake &amp; Park Ponds, Moraine View State Park

McLean County

All Fish

Bluegill or Redear Sunfish (14)

Channel Catfish

Large or Smallmouth Bass

Walleye, Sauger, or Hybrid

Walleye

Walleye, Sauger, or Hybrid

Walleye (14)

White, Black or Hybrid Crappie

White, Black or Hybrid

Crappie (15)

Decatur Park Dist. Ponds, City of Decatur

Macon County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Defiance Lake, Moraine Hills State Park

McHenry County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit

Des Plaines River Basin - Special Management Zone (Hoffman Dam to 47th Street Bridge, including tributaries)

Cook County

Channel Catfish

Channel Catfish

Large or Smallmouth Bass

- 15" Minimum Length Limit
- 6 Fish Daily Creel Limit
- Catch and Release Only - No Harvest Permitted (9)
- 30" Minimum Length Limit
- 1 Fish Daily Creel Limit

Northern Pike

Northern Pike

White, Black or Hybrid

Crappie (15)

Walleye, Sauger, or

Hybrid Walleye

Walleye, Sauger, or

Hybrid Walleye (14)

- 10 Fish Daily Creel Limit
- 18" Minimum Length Limit
- 1 Fish Daily Creel Limit

Des Plaines River Conservation Area (19)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

Will County

Dog Island Wildlife Management Area (19)  
Pope County

Dolan Lake, Hamilton County Conservation Area

Hamilton County

All Fish

Channel Catfish

Large or Smallmouth Bass

Walleye, Sauger, or Hybrid

Walleye

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 14" Minimum Length Limit

Donnelley State Wildlife Area (33)

Bureau County

Douglas Park Lagoon, Chicago Park District

Cook County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

DuPage County Forest Preserve District Lakes and Ponds, DuPage County Forest Preserve District  
DuPage County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth

Bass (14)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit

DuPage River - West Branch (between the dams located in the McDowell Grove Forest Preserve and the Warrenville Grove Forest Preserve)

DuPage County

Large or Smallmouth Bass

- Catch and Release Fishing Only (9)

East Fork Lake, City of Olney

Richland County

All Fish

Channel Catfish

Large or Smallmouth Bass

Walleye, Sauger, or Hybrid

Walleye

White, Black, or Hybrid

Crappie (15)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 14" Minimum Length Limit
- 25 Fish Daily Creel Limit

Eldon Hazlet State Park (19) (See Also Carlyle Lake)

Clinton County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

- Elliott Lake, Wheaton Park District  
DuPage County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit
- Evergreen Lake, City of Bloomington  
McLean County  
Large or Smallmouth Bass  
Pure Muskellunge  
Walleye, Sauger, or Hybrid  
Walleye  
White, Black, or Hybrid  
Crappie (15)  
- 15" Minimum Length Limit  
- 48" Minimum Length Limit (40)  
- 14" Minimum Length Limit  
- 25 Fish Daily Creel Limit
- Faries Park Pond, City of Decatur  
Macon County  
Trout  
- Fall Closed Season (10)
- Ferne Clyffe Lake, Ferne Clyffe State Park  
Johnson County  
All Fish  
Channel Catfish  
Trout  
Trout  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- Fall Closed Season (10)  
- Spring Closed Season (11)
- Flatfoot Lake, Cook County Forest Preserve District  
Cook County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)(36)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit
- Foli Park Pond, Village of Plano  
Kendall County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit
- Forbes State Lake, Stephen A. Forbes State Park  
Marion County  
Striped, White, or Hybrid  
Striped Bass  
Striped, White, or Hybrid  
Striped Bass (16)  
Walleye, Sauger, or Hybrid  
Walleye  
- 17" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 14" Minimum Length Limit
- Forbes State Park Ponds, Stephen A. Forbes State Park  
Marion County  
- Catch and Release Only -  
No Harvest Permitted (9)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

- All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)(5)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit
- Forest Park Lagoon, City of Shelbyville  
Shelby County  
All Fish  
Channel Catfish  
Trout  
Trout  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- Fall Closed Season (10)  
- Spring Closed Season (11)
- Fort de Chartres Historic Site (19)  
Randolph County
- Four Lakes, Winnebago County Forest Preserve  
Winnebago County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit
- Fox Chain O'Lakes (including the Fox River south of the Wisconsin-Illinois boundary to the McHenry Dam) (6) (Applies to Grass Lake and Nippersink Lake State Managed Blind Areas Only (19)), State of Illinois  
Lake and McHenry Counties  
Large or Smallmouth Bass  
Pure Muskellunge  
Walleye, Sauger, or Hybrid  
Walleye  
Walleye, Sauger, or Hybrid  
Walleye (14)  
- 14" Minimum Length Limit  
- 48" Minimum Length Limit (40)  
- 14" Minimum Length Limit  
with an 18-24" Protected Slot Length Limit (no possession) (6)  
- 2 Fish >or=14" and <18" &/or 1 Fish >24" Daily Creel Limit (35)
- Fox Ridge State Park (19)  
Coles County
- Fox River Basin - Special Management Zone (North Aurora Dam to Montgomery Dam, including tributaries)  
Kane County  
Large or Smallmouth Bass  
- 14" Minimum Length Limit
- Fox River Basin - Special Management Zone (South Elgin Dam to North Aurora Dam, including tributaries)  
Kane County  
Large or Smallmouth Bass  
- Catch and Release Only -  
No Harvest Permitted (9)



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

Frank Holten Lakes, Frank Holten State Park  
St. Clair County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit
- Trout - Fall Closed Season (10)
- Trout - Spring Closed Season (11)

Franklin Creek (within the boundaries of Franklin Creek State Natural Area)

- Lee County - 2 Pole and Line Fishing Only (1)(9)
- All Fish

Fuller Lake (19)

Calhoun County

Fulton County Camping and Recreation Area Waters, Fulton County Board

- Fulton County - 2 Pole and Line Fishing Only (1)
- All Fish - 6 Fish Daily Creel Limit
- Channel Catfish - 12"-15" Protected Slot Length Limit (no possession)
- Large or Smallmouth Bass - 3 Fish Daily Creel Limit
- Bass (14)
- Blue gill or Redear Sunfish (14) - 25 Fish Daily Creel Limit

Gages Lake, Wildwood Park District

Lake County

- All Fish - 2 Pole and Line Fishing Only (1)
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Walleye, Sauger, or Hybrid Walleye - 16" Minimum Length Limit

Gale Lake, Village of East Galesburg

Knox County

- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Garfield Park Lagoon, Chicago Park District

Cook County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

Gebhard Woods Ponds, Gebhard Woods State Park  
Grundy County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Trout - Spring Closed Season (11)

Giant City Park Ponds, Giant City State Park  
Jackson and Union Counties

- Largemouth and Spotted Bass - 15" Minimum Length Limit

Gillespie New City Lake, City of Gillespie

Macoupin County

- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 12-15" Slot Length Limit (3)
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Gillespie Old City Lake, City of Gillespie

Macoupin County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Glades - 12 Mile Island Wildlife Management Area (33)

Jersey County

Gladstone Lake, Henderson County Conservation Area

Henderson County

- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 12-15" Slot Length Limit (3)
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Glen Oak Park Lagoon, Peoria Park District

Peoria County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Glen Shoals Lake, City of Hillsboro

Montgomery County

- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Striped, White, or Hybrid Striped Bass - 17" Minimum Length Limit
- Striped, White, or Hybrid Striped Bass (16) - 3 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

Godar-Diamond/Hurricane Island Wildlife Management Area (33)  
Calhoun County

Compers Park Lagoon, Chicago Park District

Cook County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

Gordon F. More Park Lake, City of Alton

Madison County  
All Fish  
Bluegill or Redear  
Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 25 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 3 Fish Daily Limit

Governor Bond Lake, City of Greenville

Bond County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Striped, White, or Hybrid  
Striped Bass  
Striped, White, or Hybrid  
Striped Bass (16)  
- 2 Pole and Line Fishing Only (1) (5)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 17" Minimum Length Limit  
- 3 Fish Daily Creel Limit

Grayslake Park District (Grayslake and Park Ponds)

Lake County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit

Greenfield City Lake, City of Greenfield

Green County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

Greenville Old City Lake, City of Greenville

Bond County  
All Fish  
Channel Catfish  
Trout  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- Fall Closed Season (10)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

Harrisburg New City Reservoir, City of Harrisburg  
Saline County

All Fish  
Channel Catfish  
Striped, White, or Hybrid Striped Bass  
Striped, White or Hybrid Striped Bass (16)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 17" Minimum Length Limit  
- 3 Fish Daily Creel Limit

Harrisburg Holding Pits North and South, City of Harrisburg

Saline County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

Heidecke Lake, Heidecke Lake State Fish and Wildlife Area

Grundy County (33)  
(Shall be closed to all fishing and boat traffic except for legal waterfowl hunters from 2 weeks prior to duck season until the close of waterfowl season)  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Striped, White, or Hybrid  
Striped Bass (16)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 18" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 10 Creel/3 Fish 17" or Longer Daily (17)  
- 22" Minimum Length Limit  
- 3 Fish Daily Creel Limit

Helmbold Slough (19)

Calhoun County

Hennepin Canal-Mainline & Feeder, Hennepin Canal Parkway State Park  
Multiple Counties

All Fish  
Large or Smallmouth Bass  
Trout  
Walleye, Sauger, or Hybrid  
Walleye  
- 2 Pole and Line Fishing Only (1)(13)  
- 14" Minimum Length Limit  
- Fall Closed Season (10)  
- Spring Closed Season (11)  
- 14" Minimum Length Limit

Hidden Springs State Forest Ponds, Hidden Springs State Forest

Shelby County  
All Fish  
Bluegill or Redear  
Sunfish (14)  
- 2 Pole and Line Fishing Only (1)  
- 10 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT (S)

Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass	- 1 Fish Daily Creel Limit
Highland Old City Lake, City of Highland	
Madison County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)
Hillsboro Old City Lake, City of Hillsboro	
Montgomery County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12-15" Slot Length Limit (3)
Homer Lake, Champaign County Forest Preserve District	
Champaign County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Hornell Pond, Donnelly State Fish and Wildlife Area	
Bureau County	
All Fish	- 2 Pole and Line Fishing Only (1)(5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Horseshoe Lake-Alexander Co., Horseshoe Lake Conservation Area	
Alexander County	
(Only trolling motors in refuge from October 5-March 1)	
All Fish	- 2 Pole and Line Fishing Only (1)(5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Horseshoe Lake-Madison County, Horseshoe Lake State Park (33)	
Madison County	
All Fish	- 2 Pole and Line Fishing Only (1)(28)(34)
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
Horton Lake, Nauvoo State Park	
Hancock County	
All Fish	- 2 Pole and Line Fishing Only (1)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

Channel Catfish	- 6 Fish Daily Creel Limit
Hullit Park Big Lake, Canton Park District	
Fulton County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth	
Bass (14)	- 1 Fish Daily Creel Limit
Humbolt Park Lagoon, Chicago Park District	
Cook County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Illinois & Michigan Canal, State of Illinois	
Grundy/LaSalle/Will Counties	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Illinois Beach State Park Ponds, Illinois Beach State Park	
Lake County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Illinois Department of Transportation Lake, State of Illinois	
Sangamon County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)
Trout	- Spring Closed Season (11)
Illinois River - Pool 26 (19)	
Calhoun County	
Indian Boundary South Pond, Frankfort Square Park District	
Will County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Jackson Park (Columbia Basin) Lagoon, Chicago Park District	
Cook County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Johnson Sauk Trail Lake & Pond, Johnson Sauk Trail State Park	
Henry County	
All Fish	- 2 Pole and Line Fishing Only (1)



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit

## Jones Park Lake, City of East St. Louis

St. Clair County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Trout - Fall Closed Season (10)  
 Trout - Spring Closed Season (11)

## Jones State Lake, Saline County Conservation Area

Saline County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14"-18" Protected Slot Length Limit (no possession) (38)  
 Large or Smallmouth Bass - 5 Fish under 14" and 1 Fish over 18" Daily Creel Limit

## Jones Lake Trout Pond, Saline County Conservation Area

Saline County  
 Trout - Fall Closed Season (10)

Jubilee College State Park Ponds,  
Jubilee College State Park

Peoria County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Kankakee River Basin - Special Management Zone (Wilmington Dam to the Mouth of the Kankakee River, including tributaries)  
Will/Grundy Counties

Large or Smallmouth Bass - 12" - 16" Protected Slot Length Limit (no possession) (37)  
 Large or Smallmouth Bass (14) - 1 Fish over 16" and 2 Fish under 12" Daily Creel Limit

## Kankakee River Basin - Special Management Zone (Kankakee Dam to the Wilmington Dam, including tributaries)

Kankakee/Will Counties  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Large or Smallmouth Bass - Catch and Release Only Season in tributaries - No Harvest May 1 through June 15 (9)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

Kankakee River State Park (19)  
 Kankakee/Will Counties

## Kaskaskia River &amp; all tributaries, State of Illinois

Multiple Counties  
 Walleye, Sauger, or Hybrid - 14" Minimum Length Limit  
 Walleye

## Kaskaskia River Fish and Wildlife Area (19)

St. Clair/Randolph/Monroe Counties

Kaskaskia River Fish and Wildlife Area - Doza Creek Wildlife Management Area (33)

St. Clair County

## Kendall Co. Lake #1, Kendall County Forest Preserve District

Kendall County

All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Kent Creek

Winnebago County

Trout - Spring Closed Season (11)

## Kickapoo State Park Lakes &amp; Ponds, Kickapoo State Park

Vermilion County

All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit

## Kinkaid Lake, Kinkaid Lake State Fish and Wildlife Area (19)

Jackson County

Large or Smallmouth Bass - 12" - 16" Protected Slot Length Limit (no possession)

Large or Smallmouth Bass (14) - 2 Fish Under 12" and 2 Fish Over 16" Daily Creel Limit

Pure Muskellunge - 48" Minimum Length Limit (40)

Walleye, Sauger, or Hybrid

Walleye - 14" Minimum Length Limit

## Lake Atwood, McHenry County Conservation District

McHenry County

All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Trout - Spring Closed Season (11)

Lake Bloomington, City of Bloomington

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

McLean County	- 15" Minimum Length Limit
	- 17" Minimum Length Limit
	- 3 Fish Daily Creel Limit
	- 14" Minimum Length Limit
	- 25 Fish Daily Creel Limit
Lake Carlton, Morrison-Rockwood State Park	
Whiteside County	
All Fish	- 2 Pole and Line Fishing Only (1)
	- 6 Fish Daily Creel Limit
	- 1 Fish Daily Creel Limit
	- 14" Minimum Length Limit
	- 36" Minimum Length Limit
Channel Catfish	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
Pure Muskellunge	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
Walleye, Sauger, or Hybrid	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
White, Black, or Hybrid	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
Crappie (15)	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
Lake Co. Forest Preserve District Lakes, Lake County Forest Preserve District	
Lake County	
All Fish	- 2 Pole and Line Fishing Only (1)
	- 6 Fish Daily Creel Limit
	- 1 Fish Daily Creel Limit
	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
Channel Catfish	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
Large Smallmouth Bass (14)	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
Lake Decatur, City of Decatur	
Macon County	
All Fish	- 2 Pole and Line Fishing Only (1)
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
Channel Catfish	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
Walleye, Sauger, or Hybrid	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
Lake Depue Fish and Wildlife Area (33)	
Bureau County	
All Fish	- 2 Pole and Line Fishing Only (1)
	- 6 Fish Daily Creel Limit
	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
Channel Catfish	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
	- 15" Minimum Length Limit
Lake George, Loud Thunder Forest Preserve	

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

Rock Island County	- 2 Pole and Line Fishing Only (1)
	- 6 Fish Daily Creel Limit
	- 14" Minimum Length Limit
	- 36" Minimum Length Limit
	- 14" Minimum Length Limit
All Fish	- 25 Fish Daily Creel Limit
	- 25 Fish Daily Creel Limit
	- 25 Fish Daily Creel Limit
	- 25 Fish Daily Creel Limit
	- 25 Fish Daily Creel Limit
Lake Jacksonville, City of Jacksonville	
Morgan County	
All Fish	- 2 Pole and Line Fishing Only (1)
	- 6 Fish Daily Creel Limit
	- 15" Minimum Length Limit
	- 17" Minimum Length Limit
	- 3 Fish Daily Creel Limit
Channel Catfish	- 25 Fish Daily Creel Limit
	- 25 Fish Daily Creel Limit
	- 25 Fish Daily Creel Limit
	- 25 Fish Daily Creel Limit
	- 25 Fish Daily Creel Limit
Large or Smallmouth Bass	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
Striped, White, or Hybrid	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
Striped Bass	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
Striped, White, or Hybrid	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
Striped Bass (16)	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
White, Black, or Hybrid	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
Crappie	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
	- 9" Minimum Length Limit
Lake Kakusha, City of Mendota	
LaSalle County	
All Fish	- 2 Pole and Line Fishing Only (1)
	- 10 Fish Daily Creel Limit
	- 6 Fish Daily Creel Limit
	- 14" Minimum Length Limit
	- 3 Fish Daily Creel Limit
Channel Catfish	- 10 Fish Daily Creel Limit
	- 10 Fish Daily Creel Limit
	- 10 Fish Daily Creel Limit
	- 10 Fish Daily Creel Limit
	- 10 Fish Daily Creel Limit
Large or Smallmouth Bass	- 10 Fish Daily Creel Limit
	- 10 Fish Daily Creel Limit
	- 10 Fish Daily Creel Limit
	- 10 Fish Daily Creel Limit
	- 10 Fish Daily Creel Limit
Large or Smallmouth Bass (14)	- 10 Fish Daily Creel Limit
	- 10 Fish Daily Creel Limit
	- 10 Fish Daily Creel Limit
	- 10 Fish Daily Creel Limit
	- 10 Fish Daily Creel Limit
White, Black, or Hybrid	- 10 Fish Daily Creel Limit
	- 10 Fish Daily Creel Limit
	- 10 Fish Daily Creel Limit
	- 10 Fish Daily Creel Limit
	- 10 Fish Daily Creel Limit
Lake Le-Aqua-Na, Lake Le-Aqua-Na State Park	
Stephenson County	
All Fish	- 2 Pole and Line Fishing Only (1)
	- 10 Fish Daily Creel Limit
	- 6 Fish Daily Creel Limit
	- 1 Fish Daily Creel Limit
	- 14" Minimum Length Limit
Channel Catfish	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
Walleye, Sauger, or Hybrid	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
White, Black, or Hybrid	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
Crappie (15)	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
	- 14" Minimum Length Limit
Lake Mendota, City of Mendota	
LaSalle County	

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

All Fish  
Channel Catfish  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 1 Fish >or=15" &/or 2 < 12" Daily (31)

Lake Michigan (Illinois Portion), State of Illinois  
Lake/Cook Counties

Trout and Salmon  
Trout and Salmon  
- 10" Minimum Length Limit  
- no more than 5 fish of any one species daily, except for Lake Trout  
Lake Trout  
Yellow Perch  
Yellow Perch  
- 2 Fish Daily Creel Limit  
- 15 Fish Daily Creel Limit  
- 8" to 10" Harvest Slot Length Limit (2) - Possession of Yellow Perch Under 8" or over 10" is prohibited; Taking of yellow perch from charter boats is prohibited  
- Closed During June  
Yellow Perch

Lake Milliken, Des Plaines Conservation Area  
Will County

All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Trout  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- Spring Closed Season (11)

Lake Mingo & Kennekuk Cove Park Ponds, Vermillion County Conservation Area  
Vermillion County

All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
Walleye, Sauger, or Hybrid  
Walleye  
- 2 Pole and Line Fishing Only (1)  
- 25 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 14" Minimum Length Limit

Lake Murphysboro, Lake Murphysboro State Park  
Jackson County

All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 25 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 3 Fish Daily Creel Limit

Lake Nellie, City of St. Elmo  
Fayette County  
All Fish

- 2 Pole and Line Fishing Only (1)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

Channel Catfish  
Large or Smallmouth Bass  
Striped, White, or Hybrid  
Striped Bass  
Striped, White, or Hybrid  
Striped Bass (16)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 17" Minimum Length Limit  
- 3 Fish Daily Creel Limit

Lake of the Woods & Elk's Pond, Champaign County Forest Preserve District  
Champaign County

All Fish  
Channel Catfish  
Large or Smallmouth Bass (14)  
Trout  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 1 Fish Daily Creel Limit  
- Spring Closed Season (11)

Lake Olson, Rock Cut State Park  
Winnebago County

All Fish  
Channel Catfish  
Large or Smallmouth Bass (14)  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 1 Fish Daily Creel Limit

Lake Owen, Hazel Crest Park District  
Cook County

All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

Lake Paradise, City of Mattoon  
Coles County

All Fish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 14" Minimum Length Limit

Lake Paradise Shadow Ponds, City of Mattoon  
Coles County

All Fish  
Large or Smallmouth Bass  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 14" Minimum Length Limit  
- 6 Fish Daily Creel Limit

Lake Sara, City of Effingham  
Effingham County

Large or Smallmouth Bass  
Walleye, Sauger, or Hybrid  
Walleye  
White, Black, or Hybrid  
Crappie (15)  
- 14" Minimum Length Limit  
- 14" Minimum Length Limit  
- 25 Fish Daily Creel Limit

Lake Shelbyville (21), U.S. Army Corps of Engineers  
Moultrie/Shelby Counties



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

(During the regular waterfowl season, no bank or boat fishing shall be permitted on the Kaskaskia River from the Strickland Boat Access north to the Illinois Central Railroad Bridge from one-half hour before sunrise to 1 p.m.)

- Large or Smallmouth Bass
- Pure Muskellunge
- Walleye, Sauger, or Hybrid
- Walleye
- White, Black, or Hybrid
- Crappie (15)
- White, Black, or Hybrid
- Crappie

Lake Shelbyville - Project Ponds & Woods Lake, Lake Shelbyville State Fish and Wildlife Area (33)

Moultrie/Shelby Counties

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- White, Black, or Hybrid
- Crappie
- White, Black, or Hybrid
- Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 10" Minimum Length Limit
- 10 Fish Daily Creel Limit

Lake Sinissippi (19)

Whiteside County

Lake Springfield, City of Springfield

Sangamon County

- All Fish
- Large or Smallmouth Bass
- Walleye, Sauger, or Hybrid
- Walleye
- White, Black, or Hybrid
- Crappie (15)
- White, Black, or Hybrid
- Crappie
- 2 Pole and Line Fishing Only (1)
- 15" minimum Length Limit
- 14" Minimum Length Limit
- 25 Fish Daily Creel Limit
- 9" Minimum Length Limit

Lake Storey, City of Galesburg

Knox County

- All Fish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Walleye, Sauger, or Hybrid
- Walleye
- Walleye, Sauger, or Hybrid
- Walleye (14)
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

Lake Strini, Village of Romeoville  
Will County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Lake Sule, Flagg-Rochelle Park District  
Ogle County

- All Fish
- Bluegill or Redear
- Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- Pure Muskellunge
- Walleye, Sauger, or Hybrid
- Walleye
- White, Black or Hybrid
- Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 5 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit
- 36" Minimum Length Limit
- 14" Minimum Length Limit
- 10 Fish Daily Creel Limit

Lake Taylorville, City of Taylorville  
Christian County

- Large or Smallmouth Bass
- White, Black, or Hybrid
- Crappie
- White, Black, or Hybrid
- Crappie (15)
- 15" Minimum Length Limit
- 9" Minimum Length Limit
- 25 Fish Daily Creel Limit

Lake Vandalia, City of Vandalia

Fayette County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Striped, White, or Hybrid
- Striped Bass
- Striped, White, or Hybrid
- Striped Bass (16)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit

Lake Vermilion, Vermilion County Conservation District

Vermilion County

- All Fish
- Large or Smallmouth Bass
- Pure Muskellunge
- Walleye, Sauger, or Hybrid
- Walleye
- White, Black, or Hybrid
- Crappie
- White, Black, or Hybrid
- Crappie (15)
- 2 Pole and Line Fishing Only (26)
- 15" Minimum Length Limit (23)
- 48" Minimum Length Limit (40)
- 14" Minimum Length Limit (23)
- 9" Minimum Length Limit
- 25 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

## Lake Williamsville, City of Williamsville

Sangamon County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit

## LaSalle Lake, LaSalle Power Station

LaSalle County  
All Fish  
Large or Smallmouth Bass (14)  
Large or Smallmouth Bass  
Striped, White, or Hybrid  
Striped Bass (16)  
- 2 Pole and Line Fishing Only (1)  
- 1 Fish Daily Creel Limit  
- 18" Minimum Length Limit  
- 10 Creel/3 Fish 17" or Longer  
Daily (17)

## Levings Lake, Rockford Park District

Winnebago County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

## Lincoln Log Cabin Pond, Lincoln Log Cabin Historical Site

Coles County  
All Fish  
- 2 Pole and Line Fishing Only (1)

## Lincoln Park North Lagoon, Chicago Park District

Cook County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

## Lincoln Park South Lagoon, Chicago Park District

Cook County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

## Lincoln Trail Lake, Lincoln Trail State Park

Clark County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 12-15" Slot Length Limit (3)

## Little Black Slough, Little Black Slough State Natural Area

Johnson County  
All Fish  
All Fish  
- 2 Pole and Line Fishing Only (1)  
- No Seines

## Little Sister Lake, County of Fulton

Fulton County  
All Fish  
- 2 Pole and Line Fishing Only (1)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

## Bluegill or Redear

Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth  
Bass (14)  
- 25 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 12-15"  
Slot Length Limit (3)  
- 3 Fish Daily Creel Limit

## Little Vermillion River Basin - Special Management Zone (river mainstem and tributaries)

LaSalle County  
Large or Smallmouth Bass  
- Catch and Release Only Season  
No Harvest May 1 through  
June 15 (9)

## Lou Yeager Lake, City of Litchfield

Montgomery County  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 15" minimum Length Limit  
- 3 Fish Daily Creel Limit

## Loami Reservoir, City of Loami

Sangamon County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit

## Lower Cache River, Lower Cache River State Natural Area

Pulaski/Johnson Counties  
All Fish  
All Fish  
- 2 Pole and Line Fishing Only (1)  
- No Seines

## Lyerla Lake, Union County Conservation Area

Union County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

## Macon County Conservation District

Ponds, Macon County Conservation District  
Macon County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

## Maple Lake, Cook County Forest Preserve District

Cook County  
All Fish  
Channel Catfish  
- 2 Pole and Line  
Fishing Only (1)(36)  
- 6 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

Large or Smallmouth Bass - 14" Minimum Length Limit

Marquette Park Lagoon, Chicago Park District  
Cook County  
All Fish  
Channel Catfish

Marshall County Conservation Area (Fishing Ditch), Marshall County  
Conservation Area (33)  
Marshall County  
Marshall County  
(Unlawful to trespass upon designated waterfowl hunting areas 7 days prior to the waterfowl season and on areas designated as waterfowl refuges from October 10 until the end of the waterfowl season)

All Fish - 2 Pole and Line Fishing Only (1)

Marshall County Conservation Area - Sparland Unit (19)  
Marshall County

Mascoutah Reservoir, City of Mascoutah  
St. Clair County  
All Fish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

Massac County Fairgrounds Pond, State of Illinois  
Massac County  
Trout  
Trout

Mattoon Lake, City of Mattoon  
Coles County  
All Fish  
Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)  
- 14" Minimum Length Limit

Mautino Fish and Wildlife Area, Mautino Fish and Wildlife Area  
Bureau County  
All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)  
- 10 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 1 Fish Daily Creel Limit

Mauvaise Terre/Morgan Lake, City of Jacksonville  
Morgan County  
Large or Smallmouth Bass

- 15" Minimum Length Limit

Mazonia Lakes & Ponds, Mazonia State Fish and Wildlife Area (33)  
Grundy County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

(Mazonia Lakes and Pond are closed to all fishing and boat traffic from 2 weeks prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with duck season)

All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
White, Black or Hybrid  
Crappie (15)

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 10 Fish Daily Creel Limit

McCullom Lake, City of McHenry  
McHenry County  
All Fish  
Bluegill or Redear  
Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)  
- 25 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 1 Fish Daily Creel Limit

McKinley Park Lagoon, Chicago Park District  
Cook County  
All Fish  
Channel Catfish

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

McLeansboro City Lakes, City of McLeansboro  
Hamilton County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

Meredosia Lake - Cass County Portion Only (meandered waters only) (33)  
Cass County

Meredosia Lake - Cass County Portion  
Cass County  
(Meandered waters only) (All boat traffic is prohibited from operating on meandered waters (except non-motorized boats may be used to assist in the retrieval of waterfowl shot from private land) from the period from one week before waterfowl season opens until the season closes; hunting and/or any other activity is prohibited during the period from one week before waterfowl season opens until the season closes)

Mermet State Lake, Mermet Lake Conservation Area (33)  
Massac County  
All Fish  
Channel Catfish

- 2 Pole and Line Fishing Only (1)  
(5)  
- 6 Fish Daily Creel Limit



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

- Large or Smallmouth Bass - 14" Minimum Length Limit
- Middle Fork Forest Preserve Ponds, Champaign County Forest Preserve  
Champaign County  
All Fish - 2 Pole and Line Fishing Only (1)  
Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit
- Middle Fork of the Vermilion River, Kickapoo State Park and Middle Fork Fish and Wildlife Area  
Vermilion County  
All Fish - 2 Pole and Line Fishing Only (1)
- Middle Fork of the Vermilion River Basin - Special Management Zone (river mainstem and tributaries)  
Vermilion County  
Large or Smallmouth Bass - 14" Minimum Length Limit  
Large or Smallmouth Bass - Catch and Release Only Season in tributaries - No Harvest May 1 through June 15 (9)
- Mill Creek Lake, Clark County Park District  
Clark County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 12-15" Slot Length Limit (3)
- Miller Park Lake, City of Bloomington  
McLean County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Trout - Spring Closed Season(11)
- Mineral Springs Park Lagoon, City of Pekin  
Tazewell County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Trout - Fall Closed Season (10)
- Mississippi River Pools 16, 17, 18, 21, 22, 24, 25, 26 (19)  
Multiple Counties
- Mississippi River (between IL & IA), State of Illinois  
Multiple Counties  
Large or Smallmouth Bass - 14" Minimum Length Limit  
Northern Pike - 5 Fish Daily Creel Limit  
Walleye and Sauger (14) - 10 Fish Daily Creel Limit (24)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

- Walleye - 15" Minimum Length Limit
- Mississippi River (between IL & MO), State of Illinois  
Multiple Counties  
(Boating prohibited on refuge area immediately south of Melvin Price Lock and Dam 26 from October 15-April 15)  
Northern Pike - 1 Fish Daily Creel Limit  
Walleye and Sauger (14) - 8 Fish Daily Creel Limit
- Monroe Reservoir, Will County Forest Preserve District  
Will County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit
- Montrose Lake, City of Montrose  
Cumberland County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit
- Mt. Olive City Lakes, City of Mt. Olive  
Macoupin County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit
- Mt. Olive (Old) Lake, City of Mt. Olive  
Macoupin County  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Mt. Sterling Lake, City of Mt. Sterling  
Brown County  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 12-15" Slot Length Limit (3)
- Mt. Vernon City Park Lake, City of Mt. Vernon  
Jefferson County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Mt. Vernon Game Farm Pond, Mt. Vernon Game Farm  
Jefferson County  
All Fish - 2 Pole and Line Fishing Only (1)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

- Trout  
Trout  
- Fall Closed Season (10)  
- Spring Closed Season (11)
- Mundelein Park Dist. (Diamond Lake & Park Ponds), City of Mundelein  
Lake County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit
- Nashville City Lake, City of Nashville  
Washington County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 18" Minimum Length Limit
- Newton Lake, Newton Lake State Fish and Wildlife Area  
Jasper County  
All Fish  
- 2 Pole and Line Fishing Only (1)  
(5)  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Walleye, Sauger, or Hybrid  
Walleye  
White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie  
- 14" Minimum Length Limit  
- 10 Fish Daily Creel Limit  
- 10" Minimum Length Limit
- Norris City Reservoir, City of Norris City  
White County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit
- Oakford Conservation Area (Menard County) (19)  
Menard County  
Oakland City Lake, City Lake, City of Oakland  
Coles County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit
- Ohio River (between Illinois & Kentucky), State of Illinois  
Multiple Counties (19)  
Large or Smallmouth Bass  
Northern Pike  
- 12" Minimum Length Limit  
- No Length or Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

- Muskie or Tiger Muskie  
Muskie or Tiger Muskie  
Walleye, Sauger, or Hybrid  
Walleye (14)  
White, Black, or Hybrid  
Crappie (15)  
Striped, White, Yellow or Hybrid  
Striped Bass  
- 2 Fish Daily Creel Limit  
- 30" Minimum Length Limit  
- 10 Fish Daily Creel Limit  
- 30 Fish Daily Creel Limit  
- 30 Creel/4 Fish 15" or Longer Daily (32)
- Ohio River-Smithland Pool Tributary Streams (in Pope/Hardin/Gallatin Counties, excluding Wabash River and Saline River Above Route 1 Bridge) (19)  
Multiple Counties  
Large and Smallmouth Bass  
- 12" Minimum Length Limit
- Otter Lake, Otter Lake Water Commission  
Macoupin County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Striped, White, or Hybrid  
Striped Bass  
Striped, White, or Hybrid  
Striped Bass (16)  
Pure Muskellunge  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 17" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 48" Minimum Length Limit (40)
- Palmyra-Modesto Water Commission Lake, Palmyra/Modesto Water Commission  
Macoupin County  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit
- Palmyra City Lake & Terry Park Pond, City of Palmyra  
Macoupin County  
All Fish  
Channel Catfish  
Pana Lake, City of Pana  
Shelby and Christian Counties  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit
- Paris East & West Lakes, City of Paris  
Edgar County  
All Fish  
- 2 Pole and Line Fishing Only (1)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

Channel Catfish  
Large or Smallmouth Bass  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

Peabody River King, Pit #3 Lakes and Ponds, River King State Conservation Area  
St. Clair County  
All Fish  
- 2 Pole and Line Fishing Only (1)  
(34)  
Channel Catfish  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
Large or Smallmouth Bass (14)  
White, Black, or Hybrid  
- 3 Fish Daily Creel Limit  
Crappie (15)  
- 25 Fish Daily Creel Limit  
White, Black, or Hybrid Crappie  
- 9" Minimum Length Limit

Pekin Lake (19)  
Tazewell County

Perry Farm Pond, Bourbonnais Park District  
Kankakee County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

Piasa (19)  
Madison/Jersey Counties

Pierce Lake, Rock Cut State Park  
Winnebago County  
All Fish  
- 2 Pole and Line Fishing Only  
(1)(7)  
- 5 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 1 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 48" Minimum Length Limit (40)

Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass (14)  
Large or Smallmouth Bass  
Pure Muskellunge  
Walleye, Sauger, or Hybrid  
Walleye  
White, Black, or Hybrid  
Crappie (15)  
- 14" Minimum Length Limit  
- 25 Fish Daily Creel Limit

Pike County Conservation Area (19)  
Pike County

Pickneyville Lake, City of Pickneyville  
Perry County  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 18" Minimum Length Limit  
- 1 Fish Daily Creel Limit

Pine Creek

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

Ogle County  
Trout  
- Spring Closed Season (11)

Pine Creek (within the boundaries of White Pines Forest State Park)  
Ogle County  
All Fish  
Trout  
- 2 Pole and Line Fishing Only (1)  
- Spring Closed Season (11)

Pine Lake, Village of University Park  
Will County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

Piscasaw Creek  
McHenry County  
Trout  
Trout  
- 9" Minimum Length Limit  
- Spring Closed Season (11)

Pittsfield City Lake, City of Pittsfield  
Pike County  
All Fish  
Large or Smallmouth Bass  
Striped, White, or Hybrid  
Striped Bass  
Striped, White, or Hybrid  
Striped Bass (16)  
Walleye, Sauger, or Hybrid  
Walleye  
- 2 Pole and Line Fishing Only (1)(7)  
- 14" Minimum Length Limit  
- 17" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- 14" Minimum Length Limit

Pocahontas Park Pond, City of Pocahontas  
Bond County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

Powerton Lake, Powerton Lake Fish and Wildlife Area (39)  
Tazewell County  
(Shall be closed to boat traffic except for legal waterfowl hunters from October 1 to February 15, and closed to all unauthorized entry during the water fowl season)  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Striped, White, or Hybrid  
Striped Bass (16)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 18" Minimum Length Limit  
- 1 Fish Daily Creel Limit  
- 10 Creel/3 Fish 17" or Longer Daily (17)



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

- Walleye, Sauger, or Hybrid  
Walleye (14)  
Walleye, Sauger, or Hybrid  
Walleye
- 3 Fish Daily Creel Limit
- 18" Minimum Length Limit
- Prospect Pond, City of Moline  
Rock Island County  
Trout
- Fall Closed Season (10)
- Pyramid State Park Lakes & Ponds, Pyramid State Park  
Perry County
- All Fish  
Channel Catfish
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit
- Ramsey Lake, Ramsey Lake State Park  
Fayette County
- All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass  
Walleye, Sauger, or Hybrid  
Walleye  
White, Black, or Hybrid  
Crappie (15)  
White, Black, or Hybrid  
Crappie
- 2 Pole and Line Fishing Only (1)  
- 25 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 14" Minimum Length Limit  
- 10 Fish Daily Creel Limit  
- 9" Minimum Length Limit
- Randolph County Lake, Randolph County Conservation Area  
Randolph County
- All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
Trout  
Walleye, Sauger, or Hybrid  
Walleye
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 3 Fish Daily Creel Limit  
- Fall Closed Season (10)  
- 14" Minimum Length Limit
- Red Hills Lake, Red Hills State Park  
Lawrence County
- All Fish  
Channel Catfish  
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit
- Red's Landing Wildlife Management Area (19)  
Calhoun County  
(Walk-in area closed to trespassing 7 days prior to duck season)
- Redwing Slough/Deer Lake (33)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

- Lake County
- Rend Lake, U.S. Army Corps of Engineers (22) (33)  
Franklin County
- Large or Smallmouth Bass  
Striped, White, Yellow, or Hybrid  
Striped Bass (8)
- 14" Minimum Length Limit  
- 10 Creel/3 Fish 17" or Longer Daily (17)
- Rend Lake Project Pond, U.S. Army Corps of Engineers  
Franklin County
- All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 3 Fish Daily Creel Limit
- Rice Lake Fish and Wildlife Area (33)  
Fulton County
- Ridge Lake, Fox Ridge State Park  
Coles County  
(Recreational Use Restrictions - Waterfowl Refuge or Hunting Area (19))
- All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Walleye, Sauger, or Hybrid  
Walleye
- 2 Pole and Line Fishing Only (1)  
- 14" Minimum Length Limit  
- 14" Minimum Length Limit  
- 14" Minimum Length Limit
- Ris Park Lagoon, Chicago Park District  
Cook County
- All Fish  
Channel Catfish
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit
- Riprap Landing (19)  
Calhoun County
- Riverside Park Lagoon, Moline Park District  
Rock Island County
- All Fish  
Channel Catfish
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit
- Rock Creek, State of Illinois  
Kankakee County  
Trout
- Spring Closed Season (11)
- Rock River Basin - Special Management Zone (Fordam Dam to Oregon Dam, including tributaries)  
Ogle/Winnebago Counties

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

- Large or Smallmouth Bass - 12" - 16" Protected Slot Length Limit (no possession) (37)  
 Large or Smallmouth Bass (14) over 16" and 2 Fish under 12" Daily Creel Limit
- Rock River Main Stem Only  
 Multiple Counties  
 Walleye, Sauger, and Hybrid Walleye - 14" Minimum Length Limit
- Rock River Basin - Special Management Zone (from Oregon Dam to State Route 2 Highway Bridge at Grand Detour, including all tributaries)  
 Ogle County  
 Large or Smallmouth Bass - Catch and Release Fishing Only (9)
- Rock Springs Pond, Macon County Conservation District  
 Macon County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Trout - Spring Closed Season (11)
- Roodhouse Park Lake, City of Roodhouse  
 Green County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit
- Route 154 Day Use Pond, State of Illinois  
 Randolph County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- St. Elmo South Lake, City of St. Elmo  
 Fayette County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit
- Salem Reservoir, City of Salem  
 Marion County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit
- Sam Dale Lake, Sam Dale Conservation Area  
 Wayne County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

- All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Walleye, Sauger and Hybrid Walleye - 14" Minimum Length Limit
- Sam Dale Trout Pond, Sam Dale Conservation Area  
 Wayne County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 14" Minimum Length Limit  
 Trout - Fall Closed Season (10)  
 Trout - Spring Closed Season (11)
- Sam Parr Lake, Sam Parr State Park  
 Jasper County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily Creel Limit
- Sand Lake, Illinois Beach State Park  
 Lake County  
 Channel Catfish - 6 Fish Daily Creel Limit  
 Large or Smallmouth Bass - 15" Minimum Length Limit  
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit  
 Trout - Fall Closed Season (10)  
 Trout - Spring Closed Season (11)
- Sandy Creek Basin - Special Management Zone (river mainstem and tributaries)  
 Marshall County  
 Large or Smallmouth Bass - Catch and Release Only Season - No Harvest May 1 through June 15 (9)
- Sangamon Conservation Area (33)  
 Mason/Cass/Schuyler/Menard Counties
- Sangchris Lake, Sangchris Lake State Park  
 Christian/Sangamon Counties  
 (Posted waterfowl refuge closed to all boat traffic during waterfowl season. Bank fishing along the dam shall be permitted. Fishing shall be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the duck season. Fishing shall be prohibited in the west arm of the lake and the east arm of the lake south of the power lines during that portion of the goose season that follows the duck season)  
 All Fish - 2 Pole and Line Fishing Only (1) (34)  
 Large or Smallmouth Bass (14) - 2 Fish <15" &/or 1 Fish >or=15" Daily (25)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

- White, Black, or Hybrid Crappie (15)  
White, Black, or Hybrid Crappie
- SangChris Lake Park Ponds, SangChris Lake State Park  
Sangamon County  
All Fish
- 25 Fish Daily Creel Limit
  - 9" Minimum Length Limit
  - 2 Pole and Line Fishing Only (1)
- Schiller Pond, Cook County Forest Preserve District  
Cook County  
All Fish
- 2 Pole and Line Fishing Only (1) (36)
  - 6 Fish Daily Creel Limit
  - 14" Minimum Length Limit
- Channel Catfish  
Large or Smallmouth Bass
- Schuy-Rush Lake, City of Rushville  
Schuyler County  
Walleye, Sauger, or Hybrid  
Walleye  
White, Black, or Hybrid Crappie
- 14" Minimum Length Limit
  - 9" Minimum Length Limit
- Senior Citizen's Pond, Kankakee River State Park  
Kankakee County  
All Fish  
Channel Catfish
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
- Shabbona Lake, Shabbona Lake State Park  
DeKalb County  
All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Large or Smallmouth Bass (14)  
Large or Smallmouth Bass  
Pure Muskellunge  
Walleye, Sauger, or Hybrid  
Walleye  
White, Black, or Hybrid Crappie (15)
- 2 Pole and Line Fishing Only (1)
  - 10 Fish Daily Creel Limit
  - 6 Fish Daily Creel Limit
  - 1 Fish Daily Creel Limit
  - 14" Minimum Length Limit
  - 48" Minimum Length Limit (40)
  - 14" Minimum Length Limit
  - 10 Fish Daily Creel Limit
- Shawnee National Forest Lakes & Ponds less than 10 acres, U.S. Forest Service  
Multiple Counties  
All Fish  
Channel Catfish  
Largemouth, Smallmouth or Spotted Bass
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 15" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

- Shawnee National Forest - Bay Creek Lake #5 and #8 (Sugar Creek Lake), U.S. Forest Service  
Pope County  
All Fish  
Channel Catfish  
Largemouth, Smallmouth and Spotted Bass
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 15" Minimum Length Limit
- Shawnee National Forest - Dutchman Lake, U.S. Forest Service  
Johnson County  
All Fish  
Channel Catfish  
Largemouth, Smallmouth or Spotted Bass
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 15" Minimum Length Limit
- Shawnee National Forest - Lake Glendale, U.S. Forest Service  
Pope County  
All Fish  
Channel Catfish  
Largemouth, Smallmouth or Spotted Bass
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 15" Minimum Length Limit
- Shawnee National Forest - Little Cache #1, U.S. Forest Service  
Johnson County  
All Fish  
Channel Catfish  
Largemouth, Smallmouth or Spotted Bass
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 15" Minimum Length Limit
- Shawnee National Forest - Little Cedar Lake, U.S. Forest Service  
Jackson County  
All Fish  
Channel Catfish  
Largemouth, Smallmouth or Spotted Bass
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 15" Minimum Length Limit
- Shawnee National Forest - One Horse Gap Lake, U.S. Forest Service  
Pope County  
All Fish  
Channel Catfish  
Largemouth, Smallmouth or Spotted Bass
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 15" Minimum Length Limit
- Shawnee National Forest - Pounds Hollow Lake, U.S. Forest Service  
Gallatin County  
All Fish  
Channel Catfish  
Largemouth, Smallmouth or
- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

- Spotted Bass - 15" Minimum Length Limit
- Shawnee National Forest - Tecumseh Lake, U.S. Forest Service  
Hardin County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit
- Shawnee National Forest - Turkey Bayou, U.S. Forest Service  
Jackson County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit
- Shawnee National Forest - Whoopie Cat Lake, U.S. Forest Service  
Hardin County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit
- Sherman Park Lagoon, Chicago Park District  
Cook County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit
- Siloam Springs Lake, Siloam Springs State Park  
Adams County  
All Fish - 2 Pole and Line Fishing Only (1)  
Fishing Only (1) (7)  
Channel Catfish - 6 Fish Daily Creel Limit  
Largemouth Bass - 12-15" Slot Length Limit (3)  
Trout - Fall Closed Season (10)  
Trout - Spring Closed Season (11)
- Silver Lake, DuPage County Forest Preserve District  
DuPage County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Largemouth Bass - 14" Minimum Length Limit  
Bass (14) - 3 Fish Daily Creel Limit  
Trout - Spring Closed Season (11)
- Silver Lake (Highland), City of Highland  
Madison County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

- Walleye, Sauger, or Hybrid - 14" Minimum Length Limit  
Walleye
- Silver Springs S.P. (Big Lake) & Ponds, Silver Springs State Park  
Kendall County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Largemouth Bass - 15" Minimum Length Limit  
Trout - Fall Closed Season (10)  
Trout - Spring Closed Season (11)
- Site M Ponds #1, #2, #3, and #4, Site M Conservation Area  
Cass County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Largemouth Bass - 15" Minimum Length Limit
- Skokie Lagoons, Cook County Forest Preserve District  
Cook County  
All Fish - 2 Pole and Line Fishing Only (1)  
(36)  
Largemouth Bass - 14" Minimum Length Limit  
Walleye - 18" Minimum Length Limit
- Snake Den Hollow Lakes, Snake Den Hollow State Fish and Wildlife Area  
Knox County  
(All use other than waterfowl hunting prohibited from October 1 through the end of the goose season)  
All Fish - 2 Pole and Line Fishing Only (1)  
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit  
Channel Catfish - 6 Fish Daily Creel Limit  
Largemouth Bass - 15" Minimum Length Limit  
Largemouth Bass (14) - 3 Fish Daily Creel Limit  
Pure Muskellunge - 36" Minimum Length Limit  
Walleye, Sauger, or Hybrid - 3 Fish Daily Creel Limit  
Walleye (14) - 3 Fish Daily Creel Limit  
Walleye, Sauger, or Hybrid - 14" Minimum Length Limit  
White, Black, or Hybrid - 5 Fish Daily Creel Limit  
Crappie (15)
- Sparta City Lakes, City of Sparta  
Randolph County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Largemouth Bass - 15" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

## Sparta "T" Lake, City of Sparta

Randolph County  
 All Fish  
 Channel Catfish  
 Large or Smallmouth Bass  
 Large or Smallmouth Bass (14)  
 White, Black, or Hybrid  
 Crappie  
 White, Black, or Hybrid  
 Crappie (15)  
 - 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit  
 - 15" Minimum Length Limit  
 - 3 Fish Daily Creel Limit  
 - 9" Minimum Length Limit  
 - 10 Fish Daily Creel Limit

## Spring Lake, City of Macomb

McDonough County  
 All Fish  
 Channel Catfish  
 Large or Smallmouth Bass  
 Large or Smallmouth Bass (14)  
 Striped, White, or Hybrid  
 Striped Bass  
 Striped, White, or Hybrid  
 Striped Bass (16)  
 - 2 Pole and Line Fishing Only (1) (5)  
 - 6 Fish Daily Creel Limit  
 - 15" Minimum Length Limit  
 - 3 Fish Daily Creel Limit  
 - 17" Minimum Length Limit  
 - 3 Fish Daily Creel Limit

## Spring Lake, Flagg-Rochelle Park District

Ogle County  
 Large or Smallmouth Bass  
 Large or Smallmouth Bass (14)  
 - 14" Minimum Length Limit  
 - 1 Fish Daily Creel Limit

## Spring Lakes (North &amp; South), Spring Lake Conservation Area (33)

Tazewell County  
 All Fish  
 Channel Catfish  
 Large or Smallmouth Bass  
 Large or Smallmouth Bass (14)  
 Pure Muskellunge  
 White, Black, or Hybrid  
 Crappie (15)  
 White, Black, or Hybrid  
 Crappie  
 - 2 Pole and Line Fishing Only (1) (7)  
 - 6 Fish Daily Creel Limit  
 - 12-15" Slot Length Limit (3)  
 - 3 Fish Daily Creel Limit  
 - 48" Minimum Length Limit (40)  
 - 25 Fish Daily Creel Limit  
 - 9" Minimum Length Limit

## Starved Rock State Park (19)

LaSalle County  
 Staunton City Lake, City of Staunton  
 - 15" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

## Macoupin County

All Fish  
 Channel Catfish  
 Large or Smallmouth Bass  
 Large or Smallmouth Bass (14)  
 - 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit  
 - 15" Minimum Length Limit  
 - 3 Fish Daily Creel Limit

## Stephen A. Forbes State Park (19)

Marion County  
 Sterling Lake, Lake County Forest Preserve District  
 Lake County  
 All Fish  
 Channel Catfish  
 Large or Smallmouth Bass (14)  
 Large or Smallmouth Bass  
 Pure Muskellunge  
 Walleye, Sauger, or Hybrid  
 Walleye  
 - 2 Pole & Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit  
 - 1 Fish Daily Creel Limit  
 - 15" Minimum Length Limit  
 - 36" Minimum Length Limit  
 - 14" Minimum Length Limit

## Storm Lake, DeKalb Park District

DeKalb County  
 All Fish  
 Channel Catfish  
 - 2 Pole and Line Fishing (1)  
 - 6 Fish Daily Creel Limit

## Stump Lake Wildlife Management Area (33)

Jersey County  
 Tampier Lake, Cook County Forest Preserve District  
 Cook County  
 All Fish  
 Channel Catfish  
 Large or Smallmouth Bass  
 Walleye, Sauger, or Hybrid  
 Walleye  
 - 2 Pole and Line Fishing Only (36)  
 - 6 Fish Daily Creel Limit  
 - 14" Minimum Length Limit  
 - 18" Minimum Length Limit

## Ten Mile Creek Lakes, Ten Mile Creek State Fish and Wildlife Area

Hamilton/Jefferson Counties (19)  
 (Areas designated as refuge are closed to all access during the Canada goose season)  
 All Fish  
 Channel Catfish  
 Large or Smallmouth Bass  
 - 2 Pole and Line Fishing Only (1)  
 - 6 Fish Daily Creel Limit  
 - 14" Minimum Length Limit

## Terry Park Pond, Village of Palmyra

Macoupin County  
 Large or Smallmouth Bass  
 Large or Smallmouth  
 - 15" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

Bass (14) - 3 Fish Daily Creel Limit

Tilton City Lake, City of Tilton  
Vermilion County

- 15" Minimum Length Limit
- Large or Smallmouth Bass
- Large or Smallmouth
- 1 Fish Daily Creel Limit
- Bass (14)

Tomahawk Lake, Moraine Hills State Park  
McHenry County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit

**All Fish:**

- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)

Turkey Bluff Ponds, State of Illinois  
Randolph County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

All Fish  
 Channel Catfish  
 Large or Smallmouth Bass  
 Large or Smallmouth  
 Bass (14)  
 Bass (14)

- 1 Fish Daily Creel Limit

Turner Lake, Chain O'Lakes State Park  
Lake County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 15" Minimum Length Limit

Tuscola City Lake, City of Tuscola  
Douglas County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Channel Catfish
- Large or Smallmouth Bass

Union County Conservation Area  
Union County

(All fishing and boat traffic prohibited October 15-March 1)

Valley Lake, Wildwood Park District  
Lake County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth bass (14)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

Valmeyer Lake, City of Valmeyer  
Monroe County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

**Channel Catfish**

- 3 Fish Daily Creel Limit

**Large or Smallmouth Bass**

- 3 Fish Daily Creel Limit

**Large or Smallmouth Bass (14)**

- 3 Fish Daily Creel Limit

Vanhorn Woods Pond, Plainfield Park District  
Will County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Vernor Lake, City of Olney  
Richland County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Villa Grove East Lake, City of Villa Grove  
Douglas County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Villa Grove West Lake, City of Villa Grove  
Douglas County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Fall Closed Season (10)

All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Trout

Virginia City Reservoir, City of Virginia  
Cass County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

**Large or Smallmouth Bass**

Waddams Creek  
Stephenson County

Trout  
- Spring Closed Season (11)

Walnut Point Lake, Walnut Point State Fish and Wildlife Area  
Douglas County

- 2 Pole and Line Fishing Only (1)



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

Channel Catfish  
Large or Smallmouth Bass  
- 6 Fish Daily Creel Limit  
- 12-15" Slot Length Limit (3)

Walton Park Lake, City of Litchfield  
Montgomery County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 3 Fish Daily Creel Limit

Warrior Lake, Moraine Hills State Park  
McHenry County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 3 Fish Daily Creel Limit

Washington County Lake, Washington County Conservation Area  
Washington County  
All Fish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 3 Fish Daily Creel Limit

Channel Catfish  
Large or Smallmouth Bass  
Striped, White, or Hybrid  
Striped Bass  
Striped, White, or Hybrid  
Striped Bass (16)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 17" Minimum Length Limit  
- 3 Fish Daily Creel Limit

Washington Park Lagoon, Chicago Park District  
Cook County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

Washington Park Pond, Springfield Park District  
Sangamon County  
All Fish  
Channel Catfish  
Trout  
Trout  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- Fall Closed Season (10)  
- Spring Closed Season (11)

Waverly Lake, City of Waverly  
Morgan County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit

Weinberg-King Pond, Weinberg-King State Park  
Coles County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

Schuyler County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

Weldon Springs Lake, Weldon Springs State Park  
Dewitt County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 15" Minimum Length Limit  
- 1 Fish Daily Creel Limit

West Frankfort New City Lake, City of West Frankfort  
Franklin County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

West Frankfort Old City Lake, City of West Frankfort  
Franklin County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

West Salem Reservoir, City of West Salem  
Edwards County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit

White Hall City Lake, City of White Hall  
Greene County  
All Fish  
Channel Catfish  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit

White Oaks Lake, City of Bloomington  
McLean County  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 15" Minimum Length Limit  
- 1 Fish Daily Creel Limit

Wilderness Lake, Moraine Hills State Park  
McHenry County  
All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)  
- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- 14" Minimum Length Limit  
- 3 Fish Daily Creel Limit

Wilderness Pond, Fox Ridge State Park  
Coles County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY AMENDMENT(S)

## (Recreational Use Restrictions - Waterfowl Refuge or Hunting Area (19))

- 2 Pole and Line Fishing Only (1)
  - 5 Fish Daily Creel Limit
  - 6 Fish Daily Creel Limit
  - 18" Minimum Length Limit
- 1 Fish Daily Creel Limit

William W. Powers Conservation Area (33)  
Cook County

## Wolf Lake, William W. Powers Conservation Area (33)

- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 14" Minimum Length Limit
- 14" Minimum Length Limit

Woodford Co. Cons. Area (Fishing Ditch), Woodford County (33)  
Conservation Area  
Woodford County

- 2 Pole and Line Fishing Only (1)

Woodlawn Pond, Frankfort Square Park District  
Will County

- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Wyman Lake, City of Sullivan  
Moultrie County

- 2 Pole and Line Fishing Only (1)
  - 6 Fish Daily Creel Limit
  - Spring Closed Season (11)

Yellow Creek  
Stephenson County  
Trout

- Spring Closed Season (11)

(Source: Emergency amendment at 21 Ill. Reg. **5590**, effective April 15, 1997, for a maximum of 150 days)

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF EMERGENCY RULES

1) Heading of the Part: Professional Geologist Licensing Act2) Code Citation: 68 Ill. Adm. Code 12523) Section Numbers: Emergency Action:

- 1252.10 New Section
- 1252.40 New Section
- 1252.50 New Section
- 1252.80 New Section

4) Statutory Authority: Professional Geologist Licensing Act [225 ILCS 745]5) Effective Date of Rules: April 22, 19976) If these emergency rules are to expire before the end of the 150-day period, please specify the date on which they will expire: These emergency rules are to expire when the proposed rules are adopted.7) Date Filed in Agency's Principal Office: April 22, 1997.8) Reason for Emergency: The Professional Geologist Licensing Act, P.A. 89-0366, effective July 1, 1996, provides that on or after July 1, 1997, no person shall practice as a professional geologist in this State without first obtaining a license from the Department of Professional Regulation. The Legislature has determined that professional geology is a practice affecting the public health, safety and welfare. Emergency rules are necessary to assure having legally practicing professional geologists prior to the deadline for grandfather applicants.9) A Complete Description of the Subjects and Issues Involved: This rulemaking establishes the mechanism by which individuals who are currently professional geologists in Illinois may apply for licensure by providing evidence to the Department of experience and education in geology, as provided in these rules. Fees for the administration of this Act are set forth in this rulemaking.10) Are there any proposed Rules to this Part pending: No11) Statement of Statewide Policy Objectives: This rulemaking has no impact on local government.12) Information and questions regarding these Rules shall be directed to:

Department of Professional Regulation  
Attention: Jean Courtney  
320 West Washington, 3rd Floor  
Springfield, IL 62786  
217/785-0813 Fax #: 217/782-7645

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF EMERGENCY RULES

13) Regulatory Agenda on which this rulemaking was summarized: January 1997

The full text of the Emergency Amendments begins on the next page:

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF EMERGENCY RULES

TITLE 68: PROFESSIONS AND OCCUPATIONS  
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION  
SUBCHAPTER B: PROFESSIONS AND OCCUPATIONS

## PART 1252

## PROFESSIONAL GEOLOGIST LICENSING ACT

Section	Application for Licensure Without Examination (Grandfather)
1252.10	EMERGENCY
1252.40	Approved Programs of Geology
1252.50	EMERGENCY
1252.50	Experience
1252.80	EMERGENCY
1252.80	Fees
EMERGENCY	

AUTHORITY: Implementing the Professional Geologist Licensing Act [225 ILCS 745] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Emergency Rules adopted at 21 Ill. Reg. 5647, effective April 22, 1997, for a maximum of 150 days.

**Section 1252.10 Application for Licensure Without Examination (Grandfather)**  
**EMERGENCY**

- a) Until one year from the date the Act is implemented, an applicant meeting all the requirements for licensure under Section 50(a) of the Act and this Part may be issued a license under the grandfather provisions of Section 52 of the Act without taking and passing the examination. An applicant shall file an application on forms provided by the Department of Professional Regulation (the Department). The application shall include the following:
- 1) Education/Experience

A) Official transcripts of a baccalaureate degree in geology, or graduate degree in the field of geology indicating that the applicant has completed the coursework in accordance with Section 1252.40 of this Part; and

B) Verification of a minimum of 4 years of professional experience as defined in Section 1252.50 of this Part. The experience must be obtained after completion of the education requirements specified in Section 50(a)(3) of the Act and Section 1252.40 of this Part.

C) The Department may, upon recommendation of the Board, allow substitution of professional experience as a geologist for prescribed educational requirements. Appropriate



## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF EMERGENCY RULES

experience shall include, but not be limited to: A minimum of ten years professional experience (six years additional to that stated in subsection (a)(1)(B) of this Section) may be substituted for 10 semester or 15 quarter hours of geology coursework. At least two of the ten years shall have been under the supervision of a licensed professional geologist, or, before July 1, 2000, a licensed professional geologist or engineer;

- 2) A complete work history since receipt of a bachelor's degree or the most recent 15 years of geology experience since receipt of the bachelor's degree, whichever is less;
- 3) The required fee set forth in Section 1252.80 of this Part; and
- 4) Certification, on forms provided by the Department, from the state or territory of the United States in which the applicant was originally licensed and the state in which he/she predominantly practices and is currently licensed, if applicable, stating:

A) The time during which the applicant was registered in that jurisdiction, including the date of the original issuance of the license; and

B) Whether the file on the applicant contains any record of disciplinary actions taken or pending.

- b) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board of Licensing for Professional Geologists (the Board) because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking licensure may be requested to:

- 1) Provide such information as may be necessary; and/or
- 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.

#### Section 1252.40 Approved Programs of Geology EMERGENCY

- a) The Department shall, upon the recommendation of the Board, approve a geology program if it meets the criteria set forth in this Section and the institution:

- 1) Is legally recognized and authorized by the jurisdiction in which it is located to confer the appropriate degree;
- 2) Has a faculty that consists of a sufficient number of full-time instructors to ensure educational obligations to the student are fulfilled.

A) The faculty must have demonstrated competence as evidenced by appropriate degrees in their area(s) of teaching from professional colleges or institutions.

B) A program at the basic level shall have no fewer than three

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF EMERGENCY RULES

full-time faculty members whose primary commitment is to the geology program. If an institution relies on part-time faculty members, it shall demonstrate that, in addition to the commitment of at least three full-time equivalent faculty members, effective mechanisms are in place to provide adequate levels of student advising and faculty interaction, and faculty control over the curriculum;

- 3) Has a geology program director;
- 4) Has a curriculum with a minimum of 30 semester hours or 45 quarter hours, or the equivalent, of course credits in geology, of which 24 semester or 36 quarter hours are in upper level courses.

A) The geology curriculum shall be designed to teach fundamentals and principles and practices of geology, and shall be designed to train the student to engage in the practice of geology.

B) Geological courses. For the purposes of fulfilling the requirements of Section 50(a)(3) of the Act, the 24 semester or 36 quarter hours in the upper level courses shall be from the following subject areas:

Structural Geology	Geophysics
Mineralogy	Hydrogeology
Petrology	Engineering Geology
Geomorphology	Economic Geology
Paleontology	Environmental Geology
Terrain Analysis/Remote Sensing	Glacial Geology
Stratigraphy	Field Geology
Sedimentology	

- b) In determining whether a school is legally recognized and authorized by the jurisdiction in which it is located to confer the appropriate degree, the Department shall take into consideration, but not be bound by, accreditation or approval by the Middle States Association of Colleges and Schools; the New England Association of Schools and Colleges; the North Central Association of Colleges and Schools; the Northwest Association of Schools and Colleges; Southern Association of Colleges and Schools; the Western Association of Schools and Colleges; and the Department of Education in each of the Canadian Provinces.

#### Section 1252.50 Experience EMERGENCY

- a) A minimum of 4 years of professional experience in the practice of geologic or directly related work as defined in Section 15 of the Act is required for licensure under Section 50 of the Act.

## DEPARTMENT OF PROFESSIONAL REGULATION

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- b) Beginning with persons making application for licensure on or after July 1, 2000, two (2) years of professional experience must have been gained under the supervision of an Illinois licensed professional geologist or a geologist licensed in another jurisdiction having substantially equivalent licensure requirements as Illinois.
- c) All experience shall have been acquired after completion of education requirements set forth in Section 50(3) of the Act and Section 1252.40 of this Part. A minimum of 4 years of professional experience is defined as at least 1,800 hours a year for 4 years. No more than one year of credit will be given in a 12-month period.
- d) A maximum of one year experience may be credited to applicants possessing a graduate degree in geology.
- e) A maximum of one year experience may be credited to full-time faculty members who teach upper level courses in a geology program which meets the criteria in Section 1252.40.

**Section 1252.80 Fees****EMERGENCY**

The following fees shall be paid to the Department and are not refundable:

- a) Application Fees.
  - 1) The fee for application for a license is \$250.
  - 2) In addition applicants for examination shall be required to pay, either to the Department or to the designated testing service, a fee covering the cost of determining an applicant's eligibility and providing the examination. Failure to appear for the examination on the scheduled date, at the time and place specified, after the applicant's application for examination has been received and acknowledged by the Department or the designated testing service, shall result in the forfeiture of the examination fee.
- b) Renewal Fees. The fee for renewal of a license shall be calculated at the biennial rate of \$150.
- c) General Fees.
  - 1) The fee for restoration of a license other than from inactive status is \$20 plus payment of all lapsed renewal fees, but not to exceed \$300.
  - 2) The fee for the issuance of a duplicate or replacement license, for a license which has been lost or destroyed or for the issuance of a license with a change of name or address other than during the renewal period is \$20. No fee is required for name and address changes on Department records when no corrected license is issued.
  - 3) The fee for certification of a licensee's record for any purpose is \$20.
  - 4) The fee for a wall certificate showing licensure is the actual cost of producing such a certificate.
  - 5) The fee for a roster of persons licensed as professional

## DEPARTMENT OF PROFESSIONAL REGULATION

## NOTICE OF EMERGENCY RULES

- 6) geologists is the actual cost of producing such a roster.  
The fee to have the scoring of an examination administered by the Department reviewed and verified is \$20.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF RECOMMENDATION  
TO PROPOSED RULEMAKING

## DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

Heading of the Part: Industrial Training ProgramCode Citation: 56 Ill Adm Code 2650Section Numbers: 2650.50Date Originally Published in the Illinois Register: 1/17/97; 21 Ill Reg  
747

At its meeting on April 15, 1997, the Joint Committee on Administrative Rules considered the above cited rulemaking and recommends that DCCA seek a change in Section 46.19a(e) of the Civil Administrative Code of Illinois to authorize the Department to conduct on-site grant visits up to six months after the end of the grant period. The Committee further recommends that DCCA delay adopting this rulemaking until the statutory change has been enacted.

The agency should respond to this Recommendation in writing within 90 days after receipt of this Statement. Failure to respond will constitute refusal to accede to the Committee's Recommendation. The agency's response will be placed on the JCAR agenda for further consideration.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYWITHDRAWAL OF FILING PROHIBITION OF PROPOSED RULEMAKING

## ILLINOIS COMMERCE COMMISSION

Heading of the Part: Approval of Negotiated AgreementsCode Citation: 83 Ill Adm Code 763Section Numbers: 763.10 763.20 763.30 763.40 763.100 763.110  
763.120 763.130 763.140 763.150 763.200 763.210  
763.230 763.300 763.320 763.330 763.340 763.350  
763.360 763.370 763.380 763.400 763.410 763.420  
763.430 763.440 763.450 763.460 763.470Date Originally Published in Illinois Register: 6/28/96  
20 Ill Reg 8393Date Filing Prohibition Published in Illinois Register: 11/1/96Date Filing Prohibition Became Effective: 10/17/96Date Filing Prohibition Withdrawn: 4/15/97

The Joint Committee on Administrative Rules hereby Certifies that, pursuant to Section 5-115 of the Illinois Administrative Procedure Act and 1 Ill Adm Code 220.1000(c)(6), the Joint Committee, at its meeting on April 15, 1997, has withdrawn the prohibition against the filing of the Commission's rulemaking entitled Approval of Negotiated Agreements (83 Ill Adm Code 763; 20 Ill Reg 8393). The Committee originally issued this prohibition at its 10/15/96 meeting.

Please take notice that the agency is no longer prohibited from filing the rulemaking, as modified in accordance with agreements between the agency and the Joint Committee on Administrative Rules, with the Secretary of State and from enforcing or invoking the rulemaking.



JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYWITHDRAWAL OF SUSPENSION OF EMERGENCY RULEMAKING

## ILLINOIS COMMERCE COMMISSION

Heading of the Part: Approval of Negotiated AgreementsCode Citation: 83 Ill Adm Code 763

Section Numbers: 763.10 763.20 763.30 763.40 763.100 763.110  
 763.120 763.130 763.140 763.150 763.200 763.210  
 763.230 763.300 763.320 763.330 763.340 763.350  
 763.360 763.370 763.380 763.400 763.410 763.420  
 763.430 763.440 763.450 763.460 763.470

Date Originally Published in Illinois Register: 6/28/96  
 20 Ill Reg 8527

Date Suspension Published in Illinois Register: 11/1/96Date Suspension Became Effective: 10/17/96Date Suspension Withdrawn: 4/15/97

The Joint Committee on Administrative Rules hereby Certifies that, pursuant to Section 5-125 of the Illinois Administrative Procedure Act and 1 Ill Adm Code 230.600(c)(6), the Joint Committee, at its meeting on April 15, 1997, has withdrawn the suspension against the filing of the Commission's rulemaking entitled Approval of Negotiated Agreements (83 Ill Adm Code 763; 20 Ill Reg 8527). The Committee originally issued this suspension at its 10/15/96 meeting.

Please take notice that the emergency rule now becomes effective for the remainder of the 150- day period for which it was originally adopted.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYWITHDRAWAL OF FILING PROHIBITION OF PROPOSED RULEMAKING

## ILLINOIS COMMERCE COMMISSION

Heading of the Part: Approval of Statements For Generally Available TermsCode Citation: 83 Ill Adm Code 764

Section Numbers: 764.10 764.20 764.30 764.40 764.100 764.110  
 764.120 764.130 764.140 764.150 764.200 764.210  
 764.230 764.300 764.320 764.330 764.340 764.350  
 764.360 764.370 764.380 764.400 764.410 764.420  
 764.430 764.440 764.450 764.460 764.470

Date Originally Published in Illinois Register: 6/28/96; 20 Ill Reg 8395

Date Filing Prohibition Published in Illinois Register: 11/1/96Date Filing Prohibition Became Effective: 10/17/96Date Filing Prohibition Withdrawn: 4/15/97

The Joint Committee on Administrative Rules hereby Certifies that, pursuant to Section 5-115 of the Illinois Administrative Procedure Act and 1 Ill Adm Code 220.1000(c)(6), the Joint Committee, at its meeting on April 15, 1997, has withdrawn the prohibition against the filing of the Commission's rulemaking entitled Approval of Statements For Generally Available Terms (83 Ill Adm Code 764; 20 Ill Reg 8395). The Committee originally issued this prohibition at its 10/15/96 meeting.

Please take notice that the agency is no longer prohibited from filing the rulemaking, as modified in accordance with agreements between the agency and the Joint Committee on Administrative Rules, with the Secretary of State and from enforcing or invoking the rulemaking.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

WITHDRAWAL OF FILING PROHIBITION OF PROPOSED RULEMAKING

ILLINOIS COMMERCE COMMISSION

Heading of the Part: Approval Or Rejection Of Arbitrated Agreements

Code Citation: 83 Ill Adm Code 762

Section Numbers: 762.10 762.20 762.30 762.40 762.100 762.110 762.120  
762.130 762.200 762.205 762.210 762.220 762.300  
762.310 762.320 762.410 762.420 762.430 762.440

Date Originally Published in Illinois Register: 6/28/96  
20 Ill Reg 8407

Date Filing Prohibition Published in Illinois Register: 11/1/96

Date Filing Prohibition Became Effective: 10/17/96

Date Filing Prohibition Withdrawn: 4/15/97

The Joint Committee on Administrative Rules hereby Certifies that, pursuant to Section 5-115 of the Illinois Administrative Procedure Act and 1 Ill Adm Code 220.1000(c)(6), the Joint Committee, at its meeting on April 15, 1997, has withdrawn the prohibition against the filing of the Commission's rulemaking entitled Approval Or Rejection Of Arbitrated Agreements (83 Ill Adm Code 762; 20 Ill Reg 8407). The Committee originally issued this prohibition at its 10/15/96 meeting.

Please take notice that the agency is no longer prohibited from filing the rulemaking, as modified in accordance with agreements between the agency and the Joint Committee on Administrative Rules, with the Secretary of State and from enforcing or invoking the rulemaking.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

WITHDRAWAL OF FILING PROHIBITION OF PROPOSED RULEMAKING

ILLINOIS COMMERCE COMMISSION

Heading of the Part: Arbitration Practice

Code Citation: 83 Ill Adm Code 761

Section Numbers: 761.10 761.20 761.30 761.40 761.100 761.110  
761.130 761.140 761.150 761.200 761.210 761.220  
761.230 761.240 761.300 761.310 761.320 761.330  
761.340 761.350 761.360 761.370 761.380 761.400  
761.410 761.420 761.430 761.440 761.450 761.460  
761.470

Date Originally Published in Illinois Register: 6/28/96  
20 Ill Reg 8416

Date Suspension Published in Illinois Register: 11/1/96

Date Suspension Became Effective: 10/17/96

Date Filing Prohibition Withdrawn: 4/15/97

The Joint Committee on Administrative Rules hereby Certifies that, pursuant to Section 5-115 of the Illinois Administrative Procedure Act and 1 Ill Adm Code 220.1000(c)(6), the Joint Committee, at its meeting on April 15, 1997, has withdrawn the prohibition against the filing of the Commission's rulemaking entitled Arbitration practice (83 Ill Adm Code 761; 20 Ill Reg 8416). The Committee originally issued this prohibition at its 10/15/96 meeting.

Please take notice that the agency is no longer prohibited from filing the rulemaking, as modified in accordance with agreements between the agency and the Joint Committee on Administrative Rules, with the Secretary of State and from enforcing or invoking the rulemaking.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

WITHDRAWAL OF FILING PROHIBITION OF PROPOSED RULEMAKING

DEPARTMENT OF NATURAL RESOURCES

Heading of the Part: Commercial Fishing in Lake Michigan

Code Citation: 17 Ill Adm Code 850

Section Numbers: 850.20 850.50 850.80

Date Originally Published in Illinois Register: 1/3/97; 21 Ill Reg 322

Date Filing Prohibition Published in Illinois Register: 4/4/97

Date Filing Prohibition Became Effective: 3/20/97

Date Filing Prohibition Withdrawn: 4/15/97

The Joint Committee on Administrative Rules hereby Certifies that, pursuant to Section 5-115 of the Illinois Administrative Procedure Act and 1 Ill Adm Code 220.1000(c)(6), the Joint Committee, at its meeting on April 15, 1997, has withdrawn the prohibition against the filing of the Department's rulemaking entitled Commercial Fishing in Lake Michigan (17 Ill Adm Code 850; 21 Ill Reg 322). The Committee originally issued this prohibition at its 3/18/97 meeting.

Please take notice that the agency is no longer prohibited from filing the rulemaking, as modified in accordance with agreements between the agency and the Joint Committee on Administrative Rules, with the Secretary of State and from enforcing or invoking the rulemaking.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

WITHDRAWAL OF SUSPENSION OF EMERGENCY RULEMAKING

ILLINOIS COMMERCE COMMISSION

Heading of the Part: Arbitration Practice

Code Citation: 83 Ill Adm Code 761

Section Numbers: 761.10 761.20 761.30 761.40 761.100 761.110 761.130  
761.140 761.150 761.200 761.210 761.220 761.230 761.240  
761.300 761.310 761.320 761.330 761.340 761.350 761.360  
761.370 761.380 761.400 761.410 761.420 761.430 761.440  
761.450 761.460 761.470

Date Originally Published in Illinois Register: June 28, 1996; 20 Ill Reg 8541

Date Suspension Published in Illinois Register: November 1, 1996

Date Suspension Became Effective: October 17, 1996

Date Suspension Withdrawn: April 15, 1997

The Joint Committee on Administrative Rules hereby Certifies that, pursuant to Section 5-125 of the Illinois Administrative Procedure Act and 1 Ill Adm Code 230.600(c)(6), the Joint Committee, at its meeting on April 15, 1997, has withdrawn the suspension against the filing of the Commission's rulemaking entitled Arbitration Practice (83 Ill Adm Code 761; 20 Ill Reg 8541). The Committee originally issued this suspension at its 10/15/96 meeting.

Please take notice that the emergency rule now becomes effective for the remainder of the 150-day period for which it was originally adopted.



## ILLINOIS REGISTER

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSTATEMENT OF RECOMMENDATION  
TO PROPOSED RULEMAKING

## DEPARTMENT OF PROFESSIONAL REGULATION

Heading of the Part: Illinois Architecture Practice Act of 1989Code Citation: 68 Ill Adm Code 1150Section Numbers: 1150.80Date Originally Published in the Illinois Register: 11/22/96  
20 Ill Reg 14978

At its meeting on April 15, 1997, the Joint Committee on Administrative Rules considered the above cited rulemaking and recommends that the Department of Professional Regulation seek an amendment to Section 21 of the Illinois Architecture Practice Act [225 ILCS 305/21] to clarify that the individual a business entity certifies to the Department as the managing agent for the architectural projects that entity conducts in Illinois must or must not be a director of the corporation, a general partner in a partnership, or a member of a limited partnership. The statute clearly states that, to be registered as a professional design firm by DPR, the business entity must have as a director, general partner or member an Illinois licensed architect who will have the entity's architectural practice in this State in his charge. Additionally, a separate subsection requires the directors or partners of the entity to designate a managing agent. The statute does not draw a direct correlation between these 2 requirements; it does not state that this managing agent must be the same person as the Illinois licensed director or partner required for registration, nor does it separately require that the managing agent be a director or partner.

The agency should respond to this Recommendation in writing within 90 days after receipt of this Statement. Failure to respond will constitute refusal to accede to the Committee's Recommendation. The agency's response will be placed on the JCAR agenda for further consideration.

## ILLINOIS GAMING BOARD

## NOTICE OF PUBLICATION ERROR

Heading of the Part: Riverboat GamblingCode Citation: 86 Ill. Adm. Code 3000

Description of Issue: The pages in which the adopted rules for Riverboat Gambling (21 Ill. Reg. 4642; April 11, 1997, Issue 15) effective April 1, 1997 were published with the Department of Public Health printed on each page. The adopted rulemaking was submitted by the Illinois Gaming Board.

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of April 15, 1997 through April 21, 1997 and have been scheduled for review by the Committee at its May 13, 1997 meeting in Springfield. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield, IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start of First Notice</u>	<u>JCAR Meeting</u>
5/29/97	Department of Corrections, Rights and Privileges (20 Ill Adm Code 525)	2/28/97 21 Ill Reg 2780	5/13/97
5/30/97	Department of Public Aid, Rights and Responsibilities (89 Ill Adm Code 102)	1/24/97 21 Ill Reg 1171	5/13/97
5/30/97	Secretary of State, Regulations Under Illinois Securities Law of 1953 (14 Ill Adm Code 130)	3/14/97 21 Ill Reg 3070	5/13/97
5/30/97	Secretary of State, Regulations Under the Illinois Securities Law of 1953 (14 Ill Adm Code 130)	2/28/97 21 Ill Reg 2852	5/13/97
5/31/97	Secretary of State, Issuance of Licenses (92 Ill Adm Code 1030)	2/7/97 21 Ill Reg 1581	5/13/97
6/1/97	Department of Public Aid, Medical Payment (89 Ill Adm Code 140)	12/27/96 20 Ill Reg 16153	5/13/97
6/1/97	Department of Commerce and Community Affairs, Local Tourism and Convention Bureau Program (14 Ill Adm Code 550)	8/30/96 20 Ill Reg 11515	5/13/97
6/1/97	Department of Central Management Services, Pay Plan (80 Ill Adm Code 310)	2/28/97 21 Ill Reg 2762	5/13/97
6/1/97	Pollution Control Board, Tiered Approach to Corrective Action Objectives (35 Ill Adm Code 742)	12/6/96 20 Ill Reg 15429	5/13/97
6/1/97	Pollution Control Board, Definitions and General Provisions (35 Ill Adm Code 211)	1/3/97 21 Ill Reg 329	5/13/97

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

6/1/97	Pollution Control Board, Permits and General Provisions (35 Ill Adm Code 201)	1/3/97 21 Ill Reg 342	5/13/97
6/4/97	Pollution Control Board, Definitions and General Provisions (35 Ill Adm Code 211)	2/14/97 21 Ill Reg 1754	5/13/97
6/4/97	Pollution Control Board, Organic Material Emission Standards and Limitations for the Chicago Area (35 Ill Adm Code 218)	2/14/97 21 Ill Reg 1768	5/13/97
6/4/97	Pollution Control Board, Organic Material Emission Standards and Limitations for the Metro East Area (35 Ill Adm Code 219)	2/14/97 21 Ill Reg 1781	5/13/97
6/4/97	Pollution Control Board, Site Remediation Program (35 Ill Adm Code 740)	2/21/97 21 Ill Reg 2571	5/13/97
6/4/97	Pollution Control Board, Groundwater Quality (35 Ill Adm Code 620)	2/21/97 21 Ill Reg 2562	5/13/97
6/4/97	Department of Revenue, Property Tax Code (86 Ill Adm Code 110)	12/6/96 20 Ill Reg 15596	5/13/97

## PROCLAMATIONS

97-175

## CRIME VICTIMS' RIGHTS WEEK

Whereas, one violent crime is committed in America every 18 seconds; and  
Whereas, 36.9 million Americans are victimized in the United States each year, and of those, 9.9 million are victims of violent crime; and  
Whereas, crime victims play an indispensable role in bringing offenders to justice; and

Whereas, law-abiding citizens are no less deserving of justice, rights, resources, restoration and rehabilitation than the violent offenders who victimize them; and  
Whereas, crime victims and their advocates during the past two decades have made unparalleled progress toward balancing the scales of justice in our criminal justice system; and

Whereas, the bells of liberty and justice are ringing across America in support of the millions of survivors of crime, their families and advocates; and  
Whereas, as a nation devoted to liberty and justice for all, America must increase its efforts to protect, restore and expand crime victims' rights;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 13-19, 1997, as *CRIME VICTIMS' RIGHTS WEEK* in Illinois.  
Issued by the Governor April 1, 1997.  
Filed by the Secretary of State April 18, 1997.

97-176

## EMERGENCY MEDICAL SERVICES WEEK

Whereas, emergency medical services (EMS) embody the true concept of teamwork by recognizing the interdependent relationship among trauma centers, EMS resource hospitals, ambulance services, emergency and trauma physicians, emergency nurses, emergency medical technician (EMTs)-basics, EMT-intermediates, EMT-paramedics, field nurses, emergency communication nurses, trauma nurse specialists, emergency dispatchers and first responders who are dedicated to saving lives; and

Whereas, in Illinois, 61 EMS resource hospitals, 68 trauma centers, more than 21,000 EMT-Bs, 700 EMT-Is and 7,000 EMT-Ps selflessly provide 24-hour service to the people of our state; and

Whereas, this year's national theme, "EMS: Making a Difference for Life," underscores the symbolism of the Star of Life insignia on EMS vehicles and illustrates the relationship of all EMS personnel;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 18-24, 1997, as *EMERGENCY MEDICAL SERVICES WEEK* in Illinois and commend all individuals involved in emergency medical services.

Issued by the Governor April 1, 1997.  
Filed by the Secretary of State April 18, 1997.

97-177

## HAROLD WASHINGTON DAY

Whereas, Harold Washington served as a state representative from 1965 to

1977. During that time, he was principal author of many bills, including the Consumer Credit Reform Act, 1965, the Witness Protection Act, 1972, and the Dr. Martin Luther King, Jr. Holiday Act, 1972; and  
Whereas, Harold Washington served as a state senator from 1977 to 1980;

and  
Whereas, from 1980 to 1983, he held a congressional office and was influential in garnering support for the amendment to the Voting Rights Act; and

Whereas, from 1983 to his untimely death in 1987, Harold Washington served as the Mayor of Chicago; and  
Whereas, Harold Washington's messages inspired people in all communities;

and  
Whereas, the Chicago Public Library is sponsoring the sixth annual commemorative birthday celebration in honor of Harold Washington with the program theme "Harold Washington - A Man With A Vision;"  
Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 15, 1997, as *HAROLD WASHINGTON DAY* in Illinois.  
Issued by the Governor April 1, 1997.  
Filed by the Secretary of State April 18, 1997.

97-178

## ETHNIC HERITAGE PARADE DAY

Whereas, the Ethnic Heritage Committee is holding its annual parade in downtown Chicago on July 19, 1997; and  
Whereas, the Committee strives for ethnic harmony, growth and development in every aspect of human life; and

Whereas, the Ethnic Heritage Committee seeks to improve ethnic relationships, encourage neighborly respect and improve the human family; and  
Whereas, the Committee emphasizes improving our lives, leaving a legacy of harmony for generations to come and healing the scars of past ignorance; and

Whereas, the purpose of the Ethnic Heritage Day Parade is to encourage each ethnic group to pay homage to those great leaders from their group who have worked to advance the cause of humanity;  
Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 19, 1997, as *ETHNIC HERITAGE PARADE DAY* in Illinois.  
Issued by the Governor April 1, 1997.  
Filed by the Secretary of State April 18, 1997.

97-179

## IEF INTERNATIONAL STUDENT AWARENESS WEEK

Whereas, families and schools that host international students enrich their understanding of other nations, and international students who study in the United States have the opportunity to learn about life here; and  
Whereas, the International Education Forum was created in 1981 as a student exchange program to facilitate understanding and respect for other cultures; and

Whereas, IEF currently has agents in 54 countries, bringing approximately 8,100 students to the United States each year; and  
Whereas, the IEF Central Region comprises 13 states: Illinois, Missouri, Indiana, Oklahoma, North Dakota, South Dakota, Wisconsin, Iowa, Michigan,



Kansas, Arkansas, Nebraska and Minnesota; and

Whereas, the IEF Central Region places approximately 1,500 to 2,000 students each year; and

Whereas, the International Education Forum is conducting a campaign to increase awareness of the benefits of hosting an international student;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 5-9, 1997, as *IEF INTERNATIONAL STUDENT AWARENESS WEEK* in Illinois.

Issued by the Governor April 1, 1997.

Filed by the Secretary of State April 18, 1997.

#### 97-180

##### ILLINOIS EYE-BANK DAY

Whereas, the Illinois Eye-Bank is the largest eye bank serving the State of Illinois, and along with its affiliate, the BroMenn-Watson Gailley Eye-Bank of the Bloomington-Normal area, is among the leading and largest eye banks in North America; and

Whereas, the mission of the Illinois Eye-Bank is to help restore sight to Illinois residents whose corneas have suffered from disease or injury as well as to actively support and encourage eye research that will prevent blindness; and

Whereas, during 1996, the Illinois Eye-Bank provided eye tissue for 1,299 corneal transplants and received donations of eyes and corneas from 990 Illinois donors; and

Whereas, during the Illinois Eye-Bank's 50th anniversary celebration, Secretary of State George Ryan will receive the Man of Vision Award, and Coletta Neuens and Carol Schneider, Chief Executives of Christ Hospital, will receive the Women of Vision Award; and

Whereas, the Illinois Eye-Bank's 50th anniversary celebration will be held May 1, 1997;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 1, 1997, as *ILLINOIS EYE-BANK DAY* in Illinois.

Issued by the Governor April 1, 1997.

Filed by the Secretary of State April 18, 1997.

#### 97-181

##### JEWISH COUNCIL FOR YOUTH SERVICES DAY

Whereas, Jewish Council for Youth Services (JCYS) is a community-based service organization dedicated to the developmental needs of children throughout the Chicago area through day camps and child care centers; and

Whereas, for almost 90 years, since its inception, Jewish Council for Youth Services, has encouraged the tradition integral to Jewish culture of helping others by training young leadership in volunteerism and charitable giving; and

Whereas, Jewish Council for Youth Services supports programs that emphasize recreation, education, and personal growth while serving boys and girls of all races, ethnic backgrounds, and religions; and

Whereas, on May 3, 1997, JCYS will approach the celebration of its 90th anniversary with their Annual Dinner Benefit, "Put A Lot of Love in Your Heart," by honoring individuals who were instrumental in the leadership of the organization in the last decade;

Therefore, I, Jim Edgar, Governor of the State of Illinois, congratulate

Jewish Council for Youth Services, and its past and future leaders, for their commitment and many accomplishments in community service and proclaim May 3, 1997, as *JEWISH COUNCIL FOR YOUTH SERVICES DAY* in Illinois.

Issued by the Governor April 1, 1997.

Filed by the Secretary of State April 18, 1997.

#### 97-182

##### SCIENCE AND TECHNOLOGY WEEK

Whereas, the National Science Foundation (NSF) seeks to educate people of all ages by developing and distributing hands-on science, mathematics and technology teaching and learning materials; and

Whereas, National Science & Technology Week (NSTW) '97, with the theme, "Webs, Wires, Waves: The Science and Technology of Communication," will be April 20-26, 1997; and

Whereas, a regional network of 46 sites across the United States, Canada and Mexico distributes NSTW educational and promotional materials to schools, colleges, universities, museums and community groups; and

Whereas, corporate and associate sponsors of NSTW are committed to increasing and enriching public understanding of science and technology, and these sponsors assist NSTW by sharing educational materials with families, schools and volunteers;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 20-26, 1997, as *SCIENCE & TECHNOLOGY WEEK* in Illinois.

Issued by the Governor April 1, 1997.

Filed by the Secretary of State April 18, 1997.

#### 97-183

##### BOBBY E. WRIGHT COMPREHENSIVE COMMUNITY MENTAL HEALTH, INC. DAY

Whereas, the Bobby E. Wright Comprehensive Community Mental Health Center, Inc. has been delivering quality professional services to the people of the East and West Garfield communities for the past 24 years; and

Whereas, those services have enhanced the quality of life of the families in those communities that are facing emotional and mental problems, substance abuse and developmental disability problems; and

Whereas, Dr. Lucy Lang-Chappell, ACSW, Board Certified Diplomate and Executive Director of the Bobby E. Wright Comprehensive Community Mental Health Center, Inc., has provided inspiring and exemplary leadership for the past 12 years;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 12, 1997, as *BOBBY E. WRIGHT COMPREHENSIVE COMMUNITY MENTAL HEALTH, INC. DAY* in Illinois.

Issued by the Governor April 2, 1997.

Filed by the Secretary of State April 18, 1997.

#### 97-184

##### CHILD ABUSE PREVENTION MONTH

Whereas, child abuse is the leading cause of death for children under the age of four; and

Whereas, child abuse is recognized as an ever increasing problem in

today's society which affects educational institutions including prison, health and social systems, as well as the community as a whole; and

Whereas, the U.S. Advisory Board on Child Abuse and Neglect appointed by Congress issued a report stating the amount of child abuse in our country constitutes a national emergency; and

Whereas, April has been proclaimed as National Child Abuse Prevention Month;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 1997 as **CHILD ABUSE PREVENTION MONTH** in Illinois.

Issued by the Governor April 2, 1997.

Filed by the Secretary of State April 18, 1997.

#### 97-185

##### DAY OF PRAYER

Whereas, in 1952, the United States Congress unanimously passed a joint resolution establishing the annual National Day of Prayer; and

Whereas, May 1, 1997, marks the 46th annual National Day of Prayer; and

Whereas, all people are free to profess their religious beliefs without governmental interference or prohibition, whether in their capacities as government officials, teachers, neighbors, or parents; and

Whereas, the National Day of Prayer celebrates our country's rich heritage of prayer; and

Whereas, on this special day we reflect a particular aspect of our history and common culture; and

Whereas, this event encourages all American citizens to see beyond themselves, without coercion or specific ideology; and

Whereas, today affords us the opportunity for all Americans to join in united prayer and give thanks, to request healing for wounds endured, and to ask for divine guidance for our leaders;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 1, 1997, as a **DAY OF PRAYER** in Illinois.

Issued by the Governor April 2, 1997.

Filed by the Secretary of State April 18, 1997.

#### 97-186

##### KATHY RIVERA DAY

Whereas, Kathy Rivera was born on April 8, 1947; and

Whereas, she and her husband, Tom, are the proud parents of their 13-year-old son, John; and

Whereas, likewise, Tom, John, Kathy's father, who also is named John, and her sisters, Colleen and Pamela, are very proud of Kathy and her many accomplishments; and

Whereas, Kathy has been a producer for WMAQ-TV and WBBM-TV and is the president of K.R.T. Productions; and

Whereas, she also is a supporter of Maryville Academy and has been involved with the Electronic Long Distance Learning Network; and

Whereas, Kathy Rivera will celebrate her 50th birthday on April 8, 1997;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 8, 1997, as **KATHY RIVERA DAY** in Illinois in honor of her birthday and her many great achievements.

Issued by the Governor April 2, 1997.

Filed by the Secretary of State April 18, 1997.

#### 97-187

##### MOTHER'S DAY

Whereas, mothers are the focal point of the family and home, while more than ever serving their communities in labor, commerce and industry, and in every field of endeavor which is necessary for the public welfare and the prosperity of the nation; and

Whereas, we look to the mother in the home as the family bond, inspiring in children the importance of morals and ethics, and the fundamental laws which govern true integration and opportunity, and to impress upon them the timeless values of all the civic virtues which are the requisites for good American citizenship; and

Whereas, it is appropriate that we designate one day in the year to pay tribute through public expression to the reverence in which we hold the mother as the equal partner in the family in American society;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 11, 1997, as **MOTHER'S DAY** in Illinois and call upon the citizens to observe it in worship and by displaying the American flag and otherwise commemorating the mother in the home in order that every day in the year may have the blessings that emanate from good motherhood, exemplary citizenship, and a strong family life.

Issued by the Governor April 2, 1997.

Filed by the Secretary of State April 18, 1997.

#### 97-188

##### PEDIATRIC CANCER AWARENESS MONTH

Whereas, the Bear Necessities Pediatric Cancer Foundation, Inc. was founded in 1992 by Kathleen Casey, when she saw a need to address the growing number of pediatric cancer cases; and

Whereas, pediatric cancer is the chief cause of death by disease in children, with 41,000 children being stricken in the last five years and diagnoses of pediatric cancer increasing to approximately 8,300 cases annually; and

Whereas, Bear Necessities Pediatric Cancer Foundation works to raise awareness of pediatric cancer and to raise money to fund research related to pediatric cancer diseases, assist hospitals in obtaining modern equipment, and improve the quality of life for young cancer patients; and

Whereas, volunteers donate countless hours to Bear Necessities in the campaign to increase public awareness of pediatric cancer and plan fundraisers, including Thank Heaven For Little Bears Dinner Dance, Fashion Show On Ice, Golf For Bear's Friends Charity Golf Outing, Shop N' Share, Founder's Day Bear Run, Octoberfest, National Let's Make A Difference Day, Holiday Craft Show, Holiday Wreath Sales, Elm School Walkathon, and various television, newspaper and magazine advertisements; and

Whereas, Bear Necessities has made numerous charitable donations, including many to the University of Chicago-Wyler Children's Hospital: \$20,000 for cord blood research, \$15,000 for brain tumor research, \$3,000 for new patient information packets, \$2,000 for educational brochures, \$5,000 for



laboratory research equipment and \$1,000 for the Childlife Department;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 1997 as *PEDIATRIC CANCER AWARENESS MONTH* in Illinois and commend Kathleen Casey and the Bear Necessities Pediatric Cancer Foundation for their commitment and diligence in working to better the lives of young cancer patients and their families.

Issued by the Governor April 2, 1997.

Filed by the Secretary of State April 18, 1997.

#### 97-189

##### RACHEL E. HODEL DAY

Whereas, Rachel Elizabeth Hodel was born on April 4, 1901, in Roanoke Township, Illinois; and

Whereas, Rachel was valedictorian of the Roanoke High School Class of 1918; and

Whereas, Rachel was married to George Hodel in 1920 and they were the loving and devoted parents of 12 children; and

Whereas, Rachel is the gracious and caring grandmother of 32 grandchildren and 46 great-grandchildren; and

Whereas, Rachel possesses a strong faith and has been an Illinois resident for her entire life; and

Whereas, Rachel has been a strong supporter of the Illinois educational system as an honor student and a parent who graduated all of her children from high school and sent nine children to Illinois colleges and universities. In addition, she was an active supporter and worker in Woodford County schools; and

Whereas, Rachel Hodel embodies those qualities of character that should be emulated by all citizens; and

Whereas, a celebration in honor of her 96th birthday will take place in Springfield on April 5, 1997;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 5, 1997, as *RACHEL E. HODEL DAY* in Illinois.

Issued by the Governor April 2, 1997.

Filed by the Secretary of State April 18, 1997.

#### 97-190

##### VAN NATTA CONGRATULATED

Whereas, Harold Van Natta established the family business, Quality Grocery, in 1917 on Main Street in Watseka; and

Whereas, Harold's son, Robert, continued the family business and now co-manages the store with his own son, Jim; and

Whereas, in 1969, Quality Grocery, then located on Oak Street, was destroyed by fire, and the Van Natta family spent six months rebuilding their family business; and

Whereas, the Van Natta family has worked diligently to keep pace with changes and trends in the grocery store business; and

Whereas, Quality Grocery has provided grocery service and reliable, friendly customer service to the citizens of Watseka for eight decades;

Therefore, I, Jim Edgar, Governor of the State of Illinois, extend congratulations and sincere best wishes to the Van Natta family on their long-

time family grocery store.

Issued by the Governor April 2, 1997.

Filed by the Secretary of State April 18, 1997.

#### 97-191

##### WALKAMERICA WEEKEND

Whereas, the March of Dimes is entering its 59th year as a charitable organization, developing and implementing strategies to promote a healthy start in life for America's babies by preventing birth defects and infant mortality; and

Whereas, the organization was founded by President Franklin D. Roosevelt to address a national health crisis - polio - and later the March of Dimes focused its attention to improving the health of babies by working to prevent birth defects beyond polio; and

Whereas, the March of Dimes Birth Defects Foundation is a unique partnership of volunteers and professionals dedicated to supporting research and providing services to help all parents have healthy babies; and

Whereas, the March of Dimes continually searches for new avenues to strengthen its crusade; and

Whereas, this year marks the 12th year that the March of Dimes will host the Springfield WalkAmerica, which raises funds for these causes;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 26-27, 1997, as *WALKAMERICA WEEKEND* in Illinois and urge the citizens of Illinois to walk to help the March of Dimes in their Campaign for Healthier Babies.

Issued by the Governor April 2, 1997.

Filed by the Secretary of State April 18, 1997.

#### 97-192

##### BARBERSHOP HARMONY WEEK

Whereas, the Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America; Inc. (SPEBSQSA) was officially organized on April 11, 1938; and

Whereas, what began as a small group more than a half century ago has steadily grown into the world's largest all-male singing organization; and

Whereas, SPEBSQSA is dedicated to the spread of harmony for the enjoyment of all people of the world through organizing and encouraging close-harmony singing groups; and

Whereas, SPEBSQSA encourages harmony among all people of the world through the universal language of music; and

Whereas, SPEBSQSA has actively preserved and presented a distinct style of vocal music that originated in North America, and has become an American tradition; and

Whereas, SPEBSQSA promotes musical education through music scholarships and other means, and supports charitable foundations; and

Whereas, barbershoppers are engaged in laudable civic service and enrichment of our cultural life through the fostering of traditional values in entertainment and community endeavors;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April

11-18, 1997, as *BARBERSHOP HARMONY WEEK* in Illinois.



Issued by the Governor April 3, 1997.

Filed by the Secretary of State April 18, 1997.

#### 97-193

##### DELOYCE AND ALLEEN MCMURRAY CONGRATULATED

Whereas, DeJoyce and Alleen McMurray were married June 4, 1947, in Edwardsville, Illinois; and

Whereas, DeJoyce and Alleen are the proud parents of two children, Neyna J. Johnson of Springfield and Dru A. McMurray of Maywood, and they have seven grandchildren and one great-grandchild; and

Whereas, Mr. and Mrs. McMurray love to travel, entertain, play cards and spend time with family and friends; and

Whereas, they are both retirees of the U.S. Federal Government and each served more than 30 years; and

Whereas, DeJoyce and Alleen are members of the Unity Fellowship Church in Alton, Illinois; and

Whereas, DeJoyce is a veteran of the U.S. Marines and serves on numerous civic, church and community boards and organizations; and

Whereas, Alleen is a dedicated volunteer for many local charity organizations and church activities; and

Whereas, Mr. and Mrs. McMurray will celebrate their 50th wedding anniversary on June 4, 1997;

Therefore, I, Jim Edgar, Governor of the State of Illinois, extend sincere congratulations to DeJoyce and Alleen McMurray on their 50th anniversary and wish them much future health and happiness.

Issued by the Governor April 3, 1997.

Filed by the Secretary of State April 18, 1997.

#### 97-194

##### HARWOOD HEIGHTS DAY

Whereas, the Village of Harwood Heights was incorporated in 1947 as four square blocks, with other areas annexed in 1958 bringing the village to its current size, an "island" surrounded by Chicago; and

Whereas, in 1961, Harwood Heights made considerable progress with the paving of streets, new water and sewer lines, sidewalk programs and new street signs; and

Whereas, in 1973, Ray Willas was elected Mayor of Harwood Heights and continues to serve in that office; and

Whereas, the village has a thriving business district on Harlem Avenue, its main thoroughfare; and

Whereas, Harwood Heights residents enjoy a low tax rate and numerous village services including the I Live Alone Program, Neighborhood Watch, Officer Friendly, DARE and sports programs; and

Whereas, the Village of Harwood Heights strives to live up to its motto, "Serving People with Pride," and on August 30, 1997, the Village of Harwood Heights will celebrate its 50th anniversary with a parade and festival;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 30, 1997, as **HARWOOD HEIGHTS DAY** in Illinois.

Issued by the Governor April 3, 1997.

Filed by the Secretary of State April 18, 1997.

#### 97-194

##### LAPETITE DELTA DAY

Whereas, Delta Sigma Theta Sorority, Inc., a public service organization, was founded at Harvard University in 1913; and

Whereas, the sorority founders envisioned an organization of collegiate women pledged to philanthropic endeavors and community service, and their ideals of service and commitment to scholarship have withstood the test of time; and

Whereas, since its inception in January 1976, the Springfield-Decatur Area Alumnae Chapter of Delta Sigma Theta Sorority, Inc., has been committed to fostering high ideals in areas such as education, economic development, social action and mental health; and

Whereas, commencing in 1983, the "La Petite Delta" program has provided educational and cultural enrichment activities for 8th grade young ladies in the Springfield and Decatur areas. The program offers a series of workshops, field trips and educational activities over a five-month period to help participants develop into positive role models for our communities; and

Whereas, the La Petite Delta gala will be April 12, 1997, marking the program's 15th celebration;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 12, 1997, as **LA PETITE DELTA DAY** in Illinois. I extend best wishes to the 19 program participants and the members of the Springfield-Decatur Area Alumnae Chapter of Delta Sigma Theta Sorority.

Issued by the Governor April 3, 1997.

Filed by the Secretary of State April 18, 1997.

#### 97-196

##### MARITIME DAY

Whereas, National Maritime Day has been observed since 1933, marking the date of the first successful Atlantic crossing by a ship using steam propulsion; and

Whereas, today we honor the American Merchant Marine, whose men and women served in time of war and peace, contributing to the waterborne commerce of our state and nation; and

Whereas, men and women from each of our states who are serving in the American Merchant Marine are honored on this day each year, along with the many seamen who lost their lives in the World Wars and those who served with such courage and dedication in the Korean, Vietnam, and Persian Gulf conflicts; and

Whereas, these ocean-going merchant ships greatly benefit the economic standing of Illinois by carrying their cargoes through the Great Lakes and its inland waterways; and

Whereas, the Propeller Club of the United States, with 63 member clubs through the country, annually take time to celebrate this day with a variety of functions;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 22, 1997, as **MARITIME DAY** in Illinois.

Issued by the Governor April 3, 1997.

Filed by the Secretary of State April 18, 1997.

## 97-197

## OLDER AMERICANS MONTH

Whereas, it is a tradition for Illinois to join the nation each May in celebrating Older Americans Month, a time set aside to honor our older citizens, recognize their continued contributions and call attention to the issues that affect them most; and

Whereas, the theme of this year's observance, "Caregiving: Compassion in Action," is a special tribute to the millions of Americans who devote all or part of their day to assisting older people in maintaining their independence; and

Whereas, each day in Illinois thousands of older individuals receive caregiver assistance from formal caregivers, as well as family members, friends and neighbors who do whatever they can to promote quality lifestyles for their loved ones; and

Whereas, spouses, siblings, children, grandchildren and others who provide care often cope with stress, frustration and personal sacrifice, yet they regard the challenge of caregiving as a rewarding and satisfying experience; and

Whereas, caregivers also include those grandparents who, whenever needed, have courageously stepped forward to raise their grandchildren, thus providing an opportunity for those children to grow up in stable homes and communities; and

Whereas, the formal home and community-based care infrastructure in this state is dependent on the solid foundation that is provided by this vast network of informal caregivers who so compassionately give of themselves;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 1997 as **OLDER AMERICANS MONTH** in Illinois and encourage all Illinoisans to pay special tribute to the caregivers in each of our families and communities.

Issued by the Governor April 3, 1997.

Filed by the Secretary of State April 18, 1997.

## 97-198

## RABBI FREDERICK C. SCHWARTZ DAYS

Whereas, Rabbi Dr. Frederick C. Schwartz, a native Chicagoan, has been the spiritual leader of Temple Shalom, the largest place of Jewish worship in the City of Chicago and the State of Illinois, for more than two decades; and

Whereas, throughout the years, Rabbi Schwartz has guided the community to increased study, increased participation in community activities, and a dedication to the best that the Jewish community has to offer; and

Whereas, under Rabbi Schwartz's leadership, Temple Shalom has served in countless ways as a House of Worship, a House of Assembly, and a place of learning; and

Whereas, Rabbi Schwartz has been personally recognized for his innovative and creative work with Jewish youth and the educational and cultural aspects of adult congregational life; and

Whereas, through Rabbi Schwartz's leadership, Temple Shalom remains a beacon of Reform Judaism in the Chicago area, inspiring its members with the beauty and truth of Jewish spirituality and interacting with the modern world where critical thinking is applied to the study of Jewish sources and change is an ever-present reality in our daily lives; and

Whereas, Rabbi Schwartz will retire June 13 and is being honored with a two-day celebration for his service to his congregation;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 13-14, 1997, as **RABBI FREDERICK C. SCHWARTZ DAYS** in Illinois in recognition of the untold contributions he has made in the Jewish community, the City of Chicago, and the State of Illinois.

Issued by the Governor April 3, 1997.

Filed by the Secretary of State April 18, 1997.

## 97-199

## SILVER ANNIVERSARY SALUTE TO COMMUNITY NUTRITION PROGRAMS FOR THE ELDERLY

Whereas, the month of May is Older Americans Month in Illinois and all across the country; and

Whereas, Older Americans Month 1997 is also a time to recognize the Silver Anniversary of the Nutrition Programs of the Older Americans Act; and

Whereas, community nutrition programs for the elderly provide nourishing meals, companionship, and long term care protections to older people in communities across the country; and

Whereas, in 1997, nearly 96,000 older Illinoisans will receive about 4 million meals served in some 600 community sites, and another 5.8 million meals will be delivered to more than 37,000 homebound older persons in Illinois; and

Whereas, the success of these programs is dependent on the thousands of caring volunteers who deliver meals and provide a helping hand to those in need; and

Whereas, this public-private partnership program is also supported by local participant contributions and by federal, state and private funds; and

Whereas, the federal Administration on Aging has selected the theme for this 25th year anniversary celebration as "Celebrating Community: More Than a Meal";

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 5, 1997, as **SILVER ANNIVERSARY SALUTE TO COMMUNITY NUTRITION PROGRAMS FOR THE ELDERLY** and encourage all Illinoisans to join with their local community nutrition programs in recognizing this momentous occasion.

Issued by the Governor April 3, 1997.

Filed by the Secretary of State April 18, 1997.

## 97-200

## AFRICA WEEK

Whereas, the African Student Association, formed in 1963, is a major Registered Student Organization at Southern Illinois University in Carbondale; and

Whereas, the objectives of this organization are to promote a mutual understanding among African American students, to promote cultural and social exchanges with the African American communities and the various student organizations in and outside the university and to promote the exchange of ideas; and

Whereas, the African Student Council is representative of 34 independent African countries and also includes students from the Caribbean, Europe, Asia and the United States; and



Whereas, this year marks the 23rd annual Africa Week and this year's theme is "Africa in a New Millennium: Challenges and Opportunities;"

Therefore, I, Jim Edgar, Governor of the State of Illinois proclaim April 7-12, 1997, as **AFRICA WEEK** in Illinois.

Issued by the Governor April 4, 1997.

Filed by the Secretary of State April 18, 1997.

#### 97-201

##### ASSOCIATION OF INFORMATION TECHNOLOGY PROFESSIONALS DAYS

Whereas, the Association of Information Technology Professionals (AITP), which was founded in 1951, is one of the oldest and largest associations representing information systems professionals across the United States and Canada; and

Whereas, the members of AITP serve in private business, industry and governmental organizations throughout the world; and

Whereas, the AITP has been active in educational programs, joint venture programs for industry growth and development of technical and ethical standards; and

Whereas, the AITP's annual Region 5 Conference will be held from May 13-16, 1997, with a "Vendor Expo" on May 15, 1997, in Springfield, Illinois;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 13-16, 1997, as **ASSOCIATION OF INFORMATION TECHNOLOGY PROFESSIONALS DAYS** in Illinois.

Issued by the Governor April 4, 1997.

Filed by the Secretary of State April 18, 1997.

#### 97-202

##### HOME EDUCATION WEEK

Whereas, the State of Illinois is committed to excellence in education; and

Whereas, the State of Illinois recognizes the importance of family support in educational programs; and

Whereas, home education was proven successful in the lives of George Washington, Thomas Edison, Helen Keller, Agatha Christie, Franklin Roosevelt, and others and may be administered in Illinois under statutory requirements of the school code;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 4-10, 1997, as **HOME EDUCATION WEEK** in Illinois.

Issued by the Governor April 4, 1997.

Filed by the Secretary of State April 18, 1997.

#### 97-203

##### KIDS DAY AMERICA

Whereas, the health and well-being of children is the responsibility of everyone; and

Whereas, the safety of our children is a significant concern for parents, community leaders and health care givers; and

Whereas, environmental welfare is of universal concern and deserves the utmost attention; and

Whereas, Kids Day America is a day dedicated to promoting the health and welfare of children through a variety of activities that focus on children's health, safety and environmental awareness;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 26, 1997, as **KIDS DAY AMERICA** in Illinois.

Issued by the Governor April 4, 1997.

Filed by the Secretary of State April 18, 1997.

#### 97-204

##### MOTHER OF THE YEAR DAY

Whereas, in order to provide an appropriate occasion for honoring the Illinois State Mother of the Year, as well as all the mothers in our state, it is a pleasure to call upon the citizens to observe Saturday, April 5, 1997, as Mother of the Year Day in Illinois; and

Whereas, it is not within our power to provide an honor commensurate with the love and devotion that is inherent in motherhood, but it is entirely appropriate that we demonstrate, as best we can, the sincere appreciation we feel for the unselfish guidance and unflinching loyalty that only a mother can provide; and

Whereas, it is especially important at this time, when the sanctity of the home and stability of our society are so vital to preservation of our free way of life, that we honor the Illinois Mother of the Year as the symbol of those women, who with great patience and understanding, shape our destiny; and

Whereas, the 1997 Illinois Mother of the Year is Paula S. Myers of Petersburg, Illinois;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 5, 1997, as **MOTHER OF THE YEAR DAY** in Illinois.

Issued by the Governor April 4, 1997.

Filed by the Secretary of State April 18, 1997.

#### 97-205

##### MULTIPLE SCLEROSIS ASSOCIATION MONTH

Whereas, multiple sclerosis (MS), a neurological disease of the central nervous system, is the number one disabling disease of men and women between the ages of 20 and 40; and

Whereas, this disease can cause difficulties with vision, speech, balance and coordination; impaired mobility; bladder and bowel dysfunction; and a range of partial to complete paralysis; and

Whereas, MS is an unpredictable disease with no single infallible sign by which to diagnose the disease, and affects almost 500,000 of our fellow citizens and has no known cure; and

Whereas, the Multiple Sclerosis Association, founded in 1970 by John and Ruth Hodson, is a nonprofit organization dedicated to providing therapeutic equipment and comprehensive service to thousands of Multiple Sclerosis patients and their families;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 1997 as **MULTIPLE SCLEROSIS ASSOCIATION MONTH** in Illinois.

Issued by the Governor April 4, 1997.

Filed by the Secretary of State April 18, 1997.



97-206

## NATIONAL ASSOCIATION OF WOMEN BUSINESS OWNERS DAY

Whereas, the National Association of Women Business Owners (NAWBO) was formed more than 20 years ago, and the Chicago Area Chapter is in its 18th year, as one of the largest of the more than 60 chapters throughout the United States; and

Whereas, NAWBO serves as a voice for the 800,000 women business owners who employ 18.5 million people and do \$2.3 trillion in business each year; and

Whereas, NAWBO is an educational and business opportunity resource, and through participation in NAWBO, women business owners have the ability to network and mentor others. NAWBO members provide valuable research data showing elected officials the economic impact of women; and

Whereas, on May 8, 1997, the Chicago Area Chapter of NAWBO will hold its Celebration of Achievement Luncheon featuring Pulitzer prize-winning author Doris Kearns Goodwin and will celebrate by presenting the Chapter's 1997 Woman Business Owner of the Year Award;

Therefore, I, Jim Edgar, Governor of the State of Illinois, congratulate the Chicago Chapter of NAWBO and all of its officers and members for their many accomplishments on behalf of women business owners and proclaim May 8, 1997, as NATIONAL ASSOCIATION OF WOMEN BUSINESS OWNERS DAY in Illinois.

Issued by the Governor April 4, 1997.

Filed by the Secretary of State April 18, 1997.

97-207

## NON-CLINICAL SUPPORT PERSONNEL: CREATING A FOUNDATION FOR SUCCESS DAY

Whereas, the Chicago area's world-renown health care organizations are built upon a strong system of personnel; and

Whereas, non-clinical support personnel are a critical factor in keeping health care organizations running smoothly and efficiently; and

Whereas, non-clinical support personnel, including those working in administration, patient accounts, marketing, business offices, food service, purchasing, admitting, development, patient transport, public relations and dozens of other departments are often unrecognized members of the health care team; and

Whereas, non-clinical support personnel help health care organizations to meet the challenges of the dynamic health care environment and deliver consistently high-quality patient care; and

Whereas, the more than 100 hospitals and health care organizations that are members of Metropolitan Chicago Healthcare Council want to recognize non-clinical support personnel as a vital part of health care organizations;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 7, 1997, as NON-CLINICAL SUPPORT PERSONNEL: CREATING A FOUNDATION FOR SUCCESS DAY in Illinois.

Issued by the Governor April 4, 1997.

Filed by the Secretary of State April 18, 1997.

97-208

## CHILD ABUSE PREVENTION MONTH

Whereas, child abuse is the leading cause of death for children under the age of four; and

Whereas, child abuse is recognized as an ever increasing problem in today's society which affects educational institutions including prison, health and social systems, as well as the community as a whole; and

Whereas, the U.S. Advisory Board on Child Abuse and Neglect appointed by Congress issued a report stating the amount of child abuse in our country constitutes a national emergency; and

Whereas, April has been proclaimed as National Child Abuse Prevention Month;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 1997 as CHILD ABUSE PREVENTION MONTH in Illinois.

Issued by the Governor April 4, 1997.

Filed by the Secretary of State April 18, 1997.

97-209

## KATHLEEN M. TAYLOR DAY

Whereas, Kathleen M. Taylor is a dedicated community volunteer and a well-respected member of the Irish-American community; and

Whereas, she serves as a Board Member and Officer of the Special Wish Foundation and a Board Member of the Cystic Fibrosis Foundation; and

Whereas, Kathleen M. Taylor is currently Secretary of the Irish Fellowship Club of Chicago and has served on their Board since 1991; and

Whereas, she is also on the Executive Board of the St. Patrick's Day Parade Committee, serving as Chairperson of the Annual Ad Book; and

Whereas, she has raised money for multiple causes, including over \$30,000 to grant wishes for terminally ill children and almost \$75,000 for Cystic Fibrosis over three years; and

Whereas, her latest fundraising efforts for The Mullane Irish Dance Academy will enable 30 children to compete in Ireland in the World Championship Competition; and

Whereas, she comes from police lineage, including a father who was a Detective with the Chicago Police Department and a brother who is in the Tactical Unit at Belmont & Western; and

Whereas, Kathleen M. Taylor will be honored by the Emerald Society of Illinois as the "Irishwoman of the Year," at the 22nd Annual Dinner Dance on April 26, 1997;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 26, 1997, as KATHLEEN M. TAYLOR DAY in Illinois in honor of her tireless commitment and extensive service to the community.

Issued by the Governor April 8, 1997.

Filed by the Secretary of State April 18, 1997.

97-210

## ODIE WASHINGTON DAY

Whereas, Odie Washington was appointed on December 30, 1994, to head the Illinois Department of Corrections, and has more than 20 years experience in

the corrections field; and

Whereas, Odie Washington is involved in the national organization focusing the efforts of the criminal justice system on achieving equal justice for African-Americans and other minorities; and

Whereas, the National Association of Blacks in Criminal Justice was established in 1974 as a network of criminal justice professionals dedicated to addressing the needs, concerns and contributions of Blacks and other minorities related to the administration of equal justice; and

Whereas, Director Washington has been a long-time member of the National Association of Blacks in Criminal Justice, the Illinois Chapter; and

Whereas, he serves as a member of the Greater Illinois Area Chapter; and

Whereas, the Greater Illinois Area Chapter of the National Association of Blacks in Criminal Justice will honor Director Odie Washington as its 1997 Man of the Year;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 12, 1997, as *ODIE WASHINGTON DAY* in Illinois in honor and recognition of his many contributions to the state's criminal justice system.

Issued by the Governor April 8, 1997.

Filed by the Secretary of State April 18, 1997.

97-211

## ECONOMIC OPPORTUNITY ACTION WEEK

Whereas, President Lyndon Baines Johnson signed into law the Economic Opportunity Act on August 20, 1964; and

Whereas, Title II of the Economic Opportunity Act as amended, provides for the establishment of community action agencies (CAAs) and community action programs (CAPs) to provide stimulation and incentives for urban and rural communities to mobilize their resources to combat poverty; and

Whereas, the basic purpose of Title II, as amended, is to stimulate a better focus for all available local, state, private, and federal resources with the goal of enabling low-income families and low-income individuals of all ages in rural and urban areas to attain skills, knowledge, and motivation and to secure the opportunities needed for them to become self-sufficient; and

Whereas, Community Action Agencies and programs are focused on the needs of low-income individuals and families and are developed, conducted, and administered by public and private nonprofit agencies, with maximum feasible participation of residents of the areas and members of the groups served; and

Whereas, the Economic Opportunity Act creates other significant programs to assist all Americans with a chance or opportunity to live in decency and dignity, including programs such as Project Head Start, a work study program for underprivileged college students, Rural Work Program for low-income rural families, and a program to assist migrant workers;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 4-10, 1997, as *ECONOMIC OPPORTUNITY ACTION WEEK* in Illinois.

Issued by the Governor April 15, 1997.

Filed by the Secretary of State April 18, 1997.

97-212

## JANICE N. HAMILTON DAY

Whereas, Janice N. Hamilton has served the State of Illinois as an

employee of the Illinois Department of Employment Security and the Illinois Industrial Commission since June 8, 1981, more than 16 years of dedicated and loyal service; and

Whereas, she has served as Fiscal Officer, Deputy Director and Internal Auditor for the Department of Employment Security, and she has served as Inspector General for the Industrial Commission; and

Whereas, Janice Hamilton's work ethic and expertise at the Illinois Department of Employment Security and the Industrial Commission has contributed greatly to accomplishing their department missions with proper compliance and control; and

Whereas, as a certified Internal Auditor, she has kept up her professional duties as a member of the Institute of Internal Auditing as well as the Information Systems Audit and Control Association;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 17, 1997, as *JANICE N. HAMILTON DAY* in Illinois and commend her for her many years of professional service to the State of Illinois.

Issued by the Governor April 15, 1997.

Filed by the Secretary of State April 18, 1997.

97-213

## NATIONAL ASSOCIATION OF INSURANCE WOMEN'S WEEK

Whereas, professional insurance women make a significant contribution to the risk and insurance industry; and

Whereas, they are increasingly effective locally and statewide in promoting public awareness of important issues such as tort reform, automobile safety, and drunk driving; and

Whereas, they are committed to maintaining the highest professional standards and ethics in the insurance industry; and

Whereas, professional insurance women are working effectively on a national level as the National Association of Insurance Women (International), which has reached a membership of more than 15,000; and

Whereas, these insurance professionals have earned recognition for their outstanding accomplishments in the economically vital insurance industry;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 18-23, 1997, as *NATIONAL ASSOCIATION OF INSURANCE WOMEN'S WEEK* in Illinois in honor of their important and diverse roles throughout the risk and insurance industry.

Issued by the Governor April 15, 1997.

Filed by the Secretary of State April 18, 1997.

97-214

## POLISH NATIONAL CATHOLIC CHURCH DAY

Whereas, the Polish National Catholic Church was organized in Scranton, Pennsylvania, on March 14, 1897, by Prime Bishop Francis Hodur and Polish immigrants; and

Whereas, the Polish National Catholic Church began the celebration of its Centennial on Labor Day 1996 and will continue the celebration until Thanksgiving Day 1997; and

Whereas, the Western Diocese of the Polish National Catholic Church celebrates the Centennial May 4, 1997, with the motto, "With truth, work and



struggle, we shall succeed," and the members will rededicate themselves to serve God and His people through the Polish National Catholic Church; and

Whereas, the Right Reverend Robert M. Nemkovich, Bishop of the Western Diocese Polish National Catholic Church, will celebrate mass at the Polish National Catholic Church in Park Ridge; and

Whereas, following the mass, there will be the Centennial Banquet at the Ramada Plaza Hotel in Rosemont, Illinois;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 4, 1997, as **POLISH NATIONAL CATHOLIC CHURCH DAY** in Illinois.

Issued by the Governor April 15, 1997.

Filed by the Secretary of State April 18, 1997.

## 97-215

**PUBLIC SERVICE RECOGNITION WEEK**

Whereas, 200 million Americans are served every day by public employees providing a wide range of services; and

Whereas, public employees take not just jobs but oaths; and

Whereas, many public employees risk their lives each day for the sake of the people of the United States whom they serve, as police officers, firefighters, border patrol officers, soldiers, embassy employees, military personnel, health care professionals, and others whose jobs entail great personal risk; and

Whereas, public employees include the teachers in our schools; nurses to administer vaccines; computer technicians to pay out Social Security and Veterans' benefits, unemployment checks, and food stamps; safety inspectors for power plants, mines, and airplanes; food inspectors who ensure the safety of our grocery purchases; laborers who maintain our roads and bridges; transportation employees who get us safely to our destination; and all the other people who provide the myriad of services demanded by the American people of their government; and

Whereas, to pay for the high quality of these services, Americans have one of the lowest tax rates in the world; and

Whereas, without these government employees at every level, there could be no continuity in a democracy such as ours which regularly changes its leaders and elected officials;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 5-11, 1997, as **PUBLIC SERVICE RECOGNITION WEEK** in Illinois.

Issued by the Governor April 15, 1997.

Filed by the Secretary of State April 18, 1997.

## 97-216

**SCANDINAVIAN 5K RACE DAY**

Whereas, the second annual Scandinavian 5K Race is organized by the Swedish American Chamber of Commerce, Norwegian American Chamber of Commerce and the Midwest Danish American Chamber of Commerce; and

Whereas, the race will take place May 3, 1997, in the forest preserve district of Cook County's Busse Woods in Elk Grove Village, with runners of all interests and ethnic backgrounds participating; and

Whereas, there are several sponsors, including the Norwegian American Hospital, Dulin Metals, Pullmax Inc., Scandinavian Seaways and Scandinavian

Airlines; and

Whereas, the race will be in the spirit of the Norwegian world class runner, Grethe Weitz, and

Whereas, Governor Jim Edgar will co-sponsor the Scandinavian 5K exhibit in the James R. Thompson Center, April 7-18, 1997;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 3, 1997, as **SCANDINAVIAN 5K RACE DAY** in Illinois.

Issued by the Governor April 15, 1997.

Filed by the Secretary of State April 18, 1997.

## 97-217

**ANNIE KELLER DAY**

Whereas, Annie Keller was a school teacher who sacrificed her life in order to save the lives of her 16 pupils when a tornado struck their schoolhouse in Centerville on April 19, 1927; and

Whereas, to honor the memory of Annie Keller, world-renowned sculptor Lorado Taft designed and created a statue of her to celebrate her heroism, perpetuate her memory and inspire others; and

Whereas, the Apple Creek Chapter National Society Daughters of the American Revolution are hosting a 70th anniversary observance at the Annie Keller Memorial in Whiteside Park in White Hall, Illinois;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 20, 1997, as **ANNIE KELLER DAY** in Illinois.

Issued by the Governor April 16, 1997.

Filed by the Secretary of State April 18, 1997.

## 97-218

**BREASTFEEDING PROMOTION MONTH**

Whereas, during the month of May, the Illinois Department of Public Health, in conjunction with regional breastfeeding task forces, public and private organizations, and physicians and hospitals throughout Illinois, will promote the importance of breastfeeding; and

Whereas, this observance reminds Illinoisans that breastfeeding is nutritionally the best choice for infant feedings; and

Whereas, one of the U.S. Surgeon General's year 2000 health promotion/disease prevention objectives for the nation is to increase the percentage of women who breastfeed their babies at birth to 75 percent, and to increase the number of mothers who have continued breastfeeding five to six months later to 50 percent; and

Whereas, only 34.1 percent of Illinois mothers choose to breastfeed their infants at birth and only 13.2 percent of Illinois mothers continue breastfeeding five to six months later -- percentages well below the national averages and the U.S. Surgeon General's breastfeeding objectives for the nation; and

Whereas, increased evidence links education, determination and support to the success of breastfeeding;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 1997 as **BREASTFEEDING PROMOTION MONTH** in Illinois.

Issued by the Governor April 16, 1997.

Filed by the Secretary of State April 18, 1997.



97-219

## VIETNAMESE NATIONAL DAY

Whereas, the nation of Vietnam was founded 4,000 years ago by King Hung; and

Whereas, the anniversary of such founding is celebrated every year, on the third day of the 10th lunar month; and

Whereas, such anniversary is called King Hung Founding Father's Day by Vietnamese all over the world; and

Whereas, over 9,000 people of Vietnamese heritage have settled in Illinois; and

Whereas, the Vietnamese American community will honor this anniversary in Illinois with a cultural celebration at Truman College in Chicago on April 19, 1997;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 19, 1997, as *VIETNAMESE NATIONAL DAY* in Illinois.

Issued by the Governor April 16, 1997.

Filed by the Secretary of State April 18, 1997.

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